



House of Representatives

General Assembly

File No. 640

February Session, 2022

Substitute House Bill No. 5466

House of Representatives, April 26, 2022

The Committee on Appropriations reported through REP. WALKER of the 93rd Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING ASSORTED REVISIONS AND ADDITIONS TO THE EDUCATION STATUTES.

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

1 Section 1. (*Effective July 1, 2022*) The Department of Education shall
2 develop a report concerning recovery schools. Such report shall include,
3 but need not be limited to, an examination of how other states have
4 implemented and integrated recovery high schools into their public
5 school system and recommendations regarding the establishment and
6 implementation of one or more recovery high schools in the state. Not
7 later than January 1, 2023, the department shall submit such report on
8 its findings and recommendations to the joint standing committee of the
9 General Assembly having cognizance of matters relating to education,
10 in accordance with the provisions of section 11-4a of the general statutes.
11 For purposes of this section, "recovery high school" means a high school
12 designed specifically for students in recovery from substance use
13 disorder or co-occurring disorders.

14 Sec. 2. Subsection (a) of section 10-15b of the general statutes is

15 repealed and the following is substituted in lieu thereof (*Effective July 1,*
16 *2022*):

17 (a) Either parent or legal guardian of a minor student shall, upon
18 written request to a local or regional board of education and within a
19 reasonable time, be entitled to knowledge of and access to all
20 educational, medical, or similar records maintained in such student's
21 cumulative record, including such student's class rank, except that no
22 parent or legal guardian shall be entitled to information considered
23 privileged under section 10-154a. Nothing in this section shall be
24 construed to limit a parent who is incarcerated from being entitled to
25 knowledge of and access to all educational, medical or similar records
26 maintained in the cumulative record of any minor student of such
27 incarcerated parent, except that such incarcerated parent shall not be
28 entitled to such records if (1) such information is considered privileged
29 under section 10-154a, (2) such incarcerated parent has been convicted
30 in this state or any other state of a violation of section 53a-70, 53a-70a,
31 53a-71, 53a-72a, 53a-72b or 53a-73a, or (3) such incarcerated parent is
32 prohibited from knowledge of or access to such student's cumulative
33 record pursuant to a court order.

34 Sec. 3. (*Effective from passage*) (a) On or before September 1, 2022, the
35 governing authority for intramural and interscholastic athletics in the
36 state shall convene a working group to study the efficacy of throat
37 guards in preventing catastrophic neck injuries to interscholastic,
38 intramural and youth ice hockey athletes. The working group may
39 include representatives from organizations (1) representing athletic
40 trainers in the state, (2) representing sports medicine physicians, (3) that
41 research athlete safety and sudden death prevention, and (4) that
42 oversee youth hockey or independent interscholastic athletic leagues.
43 The working group may also include any member of the General
44 Assembly who would like to participate in the working group. The
45 study shall include, but need not be limited to, (A) a review of current
46 policies issued by national sport governing bodies on the use of throat
47 guards in ice hockey, and (B) an analysis of relevant studies (i) on the
48 prevalence of catastrophic throat injuries in interscholastic, intramural

49 and youth ice hockey, (ii) on the effectiveness of throat guards in
50 preventing catastrophic throat injuries in interscholastic, intramural and
51 youth ice hockey, and (iii) to identify any concerns associated with the
52 use of throat guards by interscholastic, intramural and youth ice hockey
53 athletes.

54 (b) Not later than January 1, 2023, the working group shall submit a
55 report on its findings and safety recommendations for interscholastic
56 and youth ice hockey programs to the joint standing committee of the
57 General Assembly having cognizance of matters relating to education,
58 in accordance with the provisions of section 11-4a of the general statutes.
59 The working group shall terminate on the date that it submits such
60 report or January 1, 2023, whichever is later.

61 Sec. 4. Section 3 of public act 21-95 is repealed and the following is
62 substituted in lieu thereof (*Effective from passage*):

63 (a) There is established a task force to study issues relating to the
64 provision and funding of special education in the state during the school
65 years commencing July 1, 2016, to July 1, 2020, inclusive. Such study
66 shall include, but need not be limited to, an examination of (1) the
67 provision of special education and related services, including whether
68 local and regional boards of education are providing such services
69 directly or partnering with regional educational service centers,
70 contracting with a private provider of special education services, as
71 defined in section 10-91g of the general statutes, or as part of a
72 cooperative arrangement pursuant to section 10-158a of the general
73 statutes, (2) the cost of providing special education and related services,
74 the total aggregate amount per school district per year and the annual
75 percentage increase or decrease per school district of such cost, (3) the
76 effect that the cost of special education has on a board of education's
77 minimum budget requirement, (4) the level of state reimbursement to
78 boards of education for special education, including the total amount
79 for reimbursement submitted by each school district per year and the
80 total amount received by such school district per year, and the
81 percentage increase or decrease per year of the difference of the total

82 amount submitted and the total amount received for each school
83 district, and (5) the criteria and manner by which school districts are
84 identifying students who require special education and related services,
85 including whether school districts are overidentifying or
86 underidentifying such students and the causes and reasons for such
87 overidentification and underidentification.

88 (b) The task force shall consist of the following members:

89 (1) Three appointed by the speaker of the House of Representatives,
90 one of whom is a representative of the Special Education Equity for Kids
91 of Connecticut, one of whom is a representative of the Connecticut
92 Association of Boards of Education and one of whom is the parent or
93 guardian of a student who is enrolled in a public school and receiving
94 special education services;

95 (2) Three appointed by the president pro tempore of the Senate, one
96 of whom is a representative of the Connecticut Association of Public
97 School Superintendents, one of whom is a representative of the
98 Connecticut Education Association and one of whom is the parent or
99 guardian of a student who is enrolled in a public school and receiving
100 special education services;

101 (3) Two appointed by the majority leader of the House of
102 Representatives, one of whom is a representative of the American
103 Federation of Teachers-Connecticut and one of whom is a representative
104 of the Connecticut Parent Advocacy Center;

105 (4) Two appointed by the majority leader of the Senate, one of whom
106 is a representative of the Connecticut Council of Administrators of
107 Special Education and one of whom is a representative of the RESC
108 Alliance;

109 (5) Two appointed by the minority leader of the House of
110 Representatives, one of whom is a representative of the Connecticut
111 Association of School Administrators and one of whom is a
112 representative of the School and State Finance Project;

113 (6) Two appointed by the minority leader of the Senate, one of whom
114 is a representative of the Connecticut Association of Schools and one of
115 whom is a representative of the Connecticut Association of School
116 Business Officials; and

117 (7) The Commissioner of Education, or the commissioner's designee.

118 (c) All appointments to the task force shall be made not later than
119 thirty days after the effective date of this section. Any vacancy shall be
120 filled by the appointing authority.

121 (d) The speaker of the House of Representatives and the president
122 pro tempore of the Senate shall select the cochairpersons of the task force
123 from among the members of the task force. Such cochairpersons shall
124 schedule the first meeting of the task force, which shall be held not later
125 than sixty days after the effective date of this section.

126 (e) The administrative staff of the joint standing committee of the
127 General Assembly having cognizance of matters relating to education
128 shall serve as administrative staff of the task force.

129 (f) Not later than January 1, [2022] 2024, the task force shall submit a
130 report on its findings and recommendations to the joint standing
131 committee of the General Assembly having cognizance of matters
132 relating to education, in accordance with the provisions of section 11-4a
133 of the general statutes. The task force shall terminate on the date that it
134 submits such report or January 1, [2022] 2024, whichever is later.

135 Sec. 5. (*Effective July 1, 2022*) The Department of Education shall
136 conduct a study of the funding process for incorporated or endowed
137 high schools or academies approved pursuant to section 10-34 of the
138 general statutes. The department may consult with any incorporated or
139 endowed high school or academy while conducting such study. Not
140 later than January 1, 2023, the department shall submit a report of the
141 results of such study and any recommendations for legislation
142 containing proposed amendments to the general statutes relating to the
143 funding process for incorporated or endowed high schools or academies

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note**State Impact:** None**Municipal Impact:** None**Explanation**

The bill makes various procedural, administrative and conforming changes that do not result in a fiscal impact.

The Out Years**State Impact:** None**Municipal Impact:** None

OLR Bill Analysis**sHB 5466*****AN ACT CONCERNING ASSORTED REVISIONS AND ADDITIONS TO THE EDUCATION STATUTES.*****SUMMARY**

This bill makes the following changes in the education statutes:

1. requires the State Department of Education (SDE) to report to the Education Committee about the creation of recovery high schools (§ 1);
2. allows parents and guardians to access the class rank of their minor student (i.e., a student under age 18) (§ 2);
3. requires the Connecticut Interscholastic Athletic Conference (CIAC) to convene a working group to study throat guards' effectiveness in preventing catastrophic neck injuries in ice hockey (§ 3);
4. extends the special education services and funding task force's report due date by two years, from January 1, 2022, to January 1, 2024 (see BACKGROUND) (§ 4); and
5. requires SDE to study the funding process for incorporated or endowed high schools or academies (§ 5).

EFFECTIVE DATE: July 1, 2022, except the provisions about the throat guard working group and special education task force take effect upon passage.

§ 1 — RECOVERY HIGH SCHOOLS

The bill requires SDE to develop a report about recovery high schools, which are designed specifically for students in recovery from substance use disorder or co-occurring disorders. This report must address at least

the following topics: (1) an examination of how other states have implemented and integrated recovery high schools into their public school system and (2) the implementation of these schools in Connecticut. SDE must submit its findings and recommendations to the Education Committee by January 1, 2023.

§ 2 — ACCESS TO STUDENT CLASS RANK

Current law allows any minor student's parent or legal guardian to request access to educational, medical, or similar records maintained in the student's record, so long as the information is not privileged under state law. This bill adds access to the student's class rank. By law and unchanged by the bill, parents or guardians must submit a written request for this student information to the board of education.

§ 3 — ICE HOCKEY NECK INJURIES WORKING GROUP

The bill requires CIAC to convene a working group to study throat guards' effectiveness in preventing catastrophic neck injuries to ice hockey athletes playing at the interscholastic, intramural, and youth levels.

Under the bill, the working group may include members from organizations representing the following interests: Connecticut athletic trainers, sports medicine physicians, athlete safety and sudden death prevention researchers, and youth hockey or independent interscholastic athletic league authorities. Any member of the legislature may also participate in the working group.

The bill requires the study to include at least a review of current policies issued by national sport governing bodies on the use of throat guards in hockey and an analysis of relevant studies on the following topics:

1. the prevalence of catastrophic throat injuries in interscholastic, intramural, and youth ice hockey;
2. the effectiveness of throat guards in preventing these injuries;
and

- 3. any concerns associated with throat guard use by these ice hockey athletes.

The working group must report its findings and safety recommendations to the Education Committee by January 1, 2023. The bill requires the group to end on the date it submits the report or January 1, 2023, whichever is later.

§ 5 — INCORPORATED OR ENDOWED HIGH SCHOOLS OR ACADEMIES FUNDING STUDY

The bill requires SDE to study the funding process for incorporated or endowed high schools or academies. It allows the department to consult with any of these high schools or academies in doing so.

Under the bill, SDE must report the study’s results and any legislation recommendations to the Education Committee by January 1, 2023.

BACKGROUND

Special Education Services and Funding Task Force

Existing law requires this task force to study, among other things, (1) the cost of providing special education and related services per school district, along with its annual percentage increase or decrease; (2) state reimbursement levels to districts for these costs; and (3) whether boards of education are providing services directly or partnering with regional education service centers, private providers, or as part of cooperative arrangements with other districts (PA 21-95, § 3).

COMMITTEE ACTION

Education Committee

Joint Favorable Substitute Change of Reference - APP
 Yea 39 Nay 0 (03/25/2022)

Appropriations Committee

Joint Favorable
 Yea 50 Nay 0 (04/07/2022)