



Substitute House Bill No. 6882

Public Act No. 23-160

AN ACT CONCERNING EDUCATION MANDATE RELIEF AND OTHER TECHNICAL AND ASSORTED REVISIONS AND ADDITIONS TO THE EDUCATION AND EARLY CHILDHOOD EDUCATION STATUTES.

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

Section 1. (*Effective July 1, 2023*) (a) The executive director of the Connecticut Association of Boards of Education, or the executive director's designee, shall convene a working group to (1) review mandates on the Department of Education and local and regional boards of education in the general statutes, the regulations of Connecticut state agencies and federal law for the purpose of identifying those mandates that are overly burdensome or have the effect of limiting or restricting the provision of instruction or services to students, including a detailed analysis of each such mandate so identified, the specific statutory or regulation citation for such mandate and how such mandate is imposed on the department or board of education, and (2) recommendations regarding the (A) development of a biennial review process to examine the laws governing education in the general statutes and the regulations of Connecticut state agencies for the purpose of identifying obsolete or duplicative mandates on the Department of Education or local and regional boards of education, and (B) repeal of or amendment to any such statute or regulation.

Substitute House Bill No. 6882

(b) The working group shall consist of the following members:

(1) A representative from each of the following organizations, designated by each such organization:

(A) The Connecticut Association of Boards of Education;

(B) The Connecticut Association of Public School Superintendents;

(C) The Connecticut PTA;

(D) The American Federation of Teachers-Connecticut;

(E) The Connecticut Education Association; and

(F) The Connecticut Association of School Business Officials;

(2) The chairpersons and ranking members of the joint standing committee of the General Assembly having cognizance of matters relating to education, or the chairpersons' and ranking members' designees; and

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

(c) All initial appointments to the working group shall be made not later than thirty days after the effective date of this section. Any vacancy shall be filled by the appointing authority.

(d) The executive director of the Connecticut Association of Boards of Education, or the executive director's designee, shall serve as the chairperson of the working group. The chairperson shall schedule the first meeting of the working group, which shall be held not later than sixty days after the effective date of this section.

(e) The working group may provide an opportunity for public comment or seek input from students, parents, educators, boards of education and other education stakeholders while conducting the

Substitute House Bill No. 6882

review and developing its recommendations under this section.

(f) Not later than January 1, 2025, the working group shall submit a report on its review of such mandates and its recommendations for the repeal of or amendment to any state mandates and development of a biennial review process 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. The working group shall terminate on the date that it submits such report or July 1, 2025, whichever is later.

Sec. 2. Subsection (a) of section 10-220a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2023*):

(a) Each local or regional board of education shall provide an in-service training program for its teachers, administrators and pupil personnel who hold the initial educator, provisional educator or professional educator certificate. Such program shall provide such teachers, administrators and pupil personnel with information on (1) the nature and the relationship of alcohol and drugs, as defined in subdivision (17) of section 21a-240, to health and personality development, and procedures for discouraging their abuse, (2) health and mental health risk reduction education that includes, but need not be limited to, the prevention of risk-taking behavior by children and the relationship of such behavior to substance abuse, pregnancy, sexually transmitted diseases, including HIV-infection and AIDS, as defined in section 19a-581, violence, teen dating violence, domestic violence and child abuse, (3) school violence prevention, conflict resolution, the prevention of and response to youth suicide and the identification and prevention of and response to bullying, as defined in subsection (a) of section 10-222d, except that (A) those boards of education that implement any evidence-based model approach that is approved by the Department of Education and is consistent with subsection (c) of section

Substitute House Bill No. 6882

10-145a, sections 10-222d, 10-222g and 10-222h, subsection (g) of section 10-233c and sections 1 and 3 of public act 08-160, shall not be required to provide in-service training on the identification and prevention of and response to bullying, and (B) such school violence prevention training shall be in a manner prescribed in a school security and safety plan, in accordance with the provisions of section 10-222n, (4) cardiopulmonary resuscitation and other emergency life saving procedures, (5) the requirements and obligations of a mandated reporter, (6) the detection and recognition of, and evidence-based structured literacy interventions for, students with dyslexia, as defined in section 10-3d, (7) culturally responsive pedagogy and practice, including, but not limited to, the video training module relating to implicit bias and anti-bias in the hiring process in accordance with the provisions of section 10-156hh, [and] (8) the principles and practices of social-emotional learning and restorative practices, and (9) emergency response to students who experience a seizure in a school, including, but not limited to, the recognition of the signs and symptoms of seizures, the appropriate steps for seizure first aid, information about seizure action plans for students and, for those authorized to administer medication under section 10-212a, the administration of seizure rescue medication or prescribed electrical stimulation using a Vagus Nerve Stimulator magnet. Each local or regional board of education [may] shall allow any [paraprofessional] paraeducator or noncertified employee to participate, on a voluntary basis, in any in-service training program provided pursuant to this section.

Sec. 3. Subsection (e) of section 10-220 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2023*):

(e) Each local and regional board of education shall establish a school district curriculum committee. The committee shall recommend, develop, review and approve all curriculum for the local or regional

Substitute House Bill No. 6882

school district. Each local and regional board of education shall make available all curriculum approved by the committee and all associated curriculum materials in accordance with the requirements of the Protection of Pupil Rights Amendment, 20 USC 1232h.

Sec. 4. Section 10-73d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2023*):

A public school student who is both under seventeen years of age and a [mother] parent may request permission from the local or regional board of education to attend adult education classes. The local or regional board of education may, by a majority vote of the members of the board present and voting at a regular or special meeting of the board called for such purpose, assign such student to adult education classes.

Sec. 5. Section 10-15k of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2023*):

(a) As used in this section: [, "remote learning"]

(1) "Remote learning" means instruction by means of one or more Internet-based software platforms as part of a remote learning model; and

(2) "Eligible student" means a student who resides in the state, but is unable to attend school in person due to a medical diagnosis, including a psychological or physical condition or restriction, or medical exemption to required immunizations, documented by the child's health care provider.

(b) The Department of Education shall develop a plan for the creation and implementation of a state-wide remote learning school that offers grades kindergarten to twelve, inclusive, and provides remote learning to students. In the course of developing such plan, the department shall (1) consider the findings and recommendations of the report created by

Substitute House Bill No. 6882

the Connecticut Remote Learning Commission pursuant to section 10-15j, as amended by this act, (2) review remote learning schools and models being implemented in other states, and (3) estimate the number of eligible students. [who reside in Connecticut that may be eligible to enroll in such state-wide remote learning school.] The department shall use, to the extent permissible under federal guidelines, funds received from the Coronavirus Response and Relief Supplemental Appropriations Act, P.L. 116-260, as amended from time to time, to develop such plan.

(c) Any state-wide remote learning school that may be created under such plan shall (1) be maintained by and under the direction and control of the State Board of Education, (2) provide in each school year not less than one hundred eighty days of actual school sessions and nine hundred hours of actual school work for grades kindergarten to twelve, inclusive, provided not more than seven hours of actual school work in any school day shall count toward the total required for the school year, (3) offer coursework and a curriculum that is rigorous, aligned with curriculum guidelines approved by the State Board of Education, and in accordance with the state-wide subject matter content standards, adopted by the state board pursuant to section 10-4, (4) grant a diploma, in accordance with the provisions of section 10-5, to any student enrolled in such state-wide remote learning school who has satisfactorily completed the high school graduation requirements described in section 10-221a, and (5) be created with consideration given to best practices in remote learning, technological capabilities of students throughout the state and equity.

(d) The department shall draft a request for proposals for any items required to create and implement a state-wide remote learning school.

(e) Not later than [July 1, 2023] January 1, 2024, the department shall submit the plan, the draft request for proposals and any recommendations for legislation related to the implementation of such

Substitute House Bill No. 6882

plan to the joint standing committees of the General Assembly having cognizance of matters relating to education and appropriations, in accordance with the provisions of section 11-4a.

Sec. 6. Section 10-220 of the general statutes is amended by adding subsection (g) as follows (*Effective July 1, 2023*):

(NEW) (g) Each local or regional board of education conducting a regular or special meeting of such board shall make available for public inspection the agenda for the meeting or any associated documents that may be reviewed by members of the board at such meeting and post such agenda and documents on the Internet web site of such board.

Sec. 7. (NEW) (*Effective July 1, 2023*) (a) The Commissioner of Education shall convene a family and community engagement in education council. The council shall (1) advise the commissioner on issues and policies related to family and community engagement in education, (2) provide parent and community feedback on products and initiatives offered by the Department of Education, (3) review and make recommendations regarding the State Board of Education's five year comprehensive plan concerning school-family-community partnership initiatives, and (4) review and make recommendations regarding effective practices to increase school and district capacity to develop successful partnerships and families' capacity to support their children's education. The council shall meet at least quarterly.

(b) The commissioner shall select the membership of the council, provided such membership balances representation from school and district staff, parents and guardians of students and community members who reflect the state's geographic, economic, ethnic and racial diversity and bring an authentic parent and community voice to the council.

(c) Not later than January 1, 2025, and annually thereafter, the council

Substitute House Bill No. 6882

shall submit a report on its review and recommendations regarding the comprehensive five-year plan regarding school-family-community partnership initiatives to the State Board of Education and 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. 8. Subsection (e) of section 10-16x of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2023*):

(e) The Department of Education shall, [provide grant recipients with technical assistance, evaluation, program monitoring, professional development and accreditation support] in collaboration with regional educational service centers, support grant recipients by (1) monitoring and evaluating programs and activities, (2) conducting a comprehensive evaluation of the effectiveness of programs and implementing risk assessments, (3) providing technical assistance and training to eligible applicants, and (4) ensuring program activities are aligned with state academic standards. The department may retain up to [four] seven and one-half per cent of the amount appropriated for the grant program for purposes of this subsection.

Sec. 9. Section 10-357b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2023*):

(a) The purposes of the State Education Resource Center, established pursuant to section 10-357a, shall be to assist the State Board of Education in the provision of programs and activities that will promote educational equity and excellence. Such activities shall be limited to: Training, technical assistance and professional development for local and regional boards of education, school leaders, teachers, families and community partners in the form of seminars, publications, site visits, on-line content and other appropriate means; maintaining a state education

Substitute House Bill No. 6882

resource center library; publication of technical materials; research and evaluation; writing, managing, administering and coordinating grants for the purposes described in this subsection; and any other related activities directly related to the purposes described in this subsection. The center shall support local educational agencies serving the needs of families, communities and service providers. The center shall support programs and activities concerning early childhood education, in collaboration with the Office of Early Childhood, improving school and district academic performance, and closing opportunity gaps between socio-economic subgroups, and other related programs and activities. The center shall support and collaborate with other state agencies for the purposes described in this subsection. For such purposes the center is authorized and empowered to:

(1) Have perpetual succession as a body politic and corporate and to adopt bylaws for the regulation of its affairs and the conduct of its business;

(2) Adopt an official seal and alter the same at pleasure;

(3) Maintain an office at such place or places as it may designate;

(4) Sue and be sued in its own name and plead and be impleaded;

(5) (A) Employ such assistants, agents and other employees as may be necessary or desirable who shall not be employees, as defined in subsection (b) of section 5-270; (B) establish all necessary or appropriate personnel practices and policies, including those relating to hiring, promotion, compensation, retirement and collective bargaining, which need not be in accordance with chapter 68, and the center shall not be an employer as defined in subsection (a) of section 5-270; and (C) engage consultants, attorneys and appraisers as may be necessary or desirable to carry out its purposes in accordance with this section and sections 10-357a, 10-357c and 10-357d;

Substitute House Bill No. 6882

(6) Receive and accept aid or contributions from any source of money, property, labor or other things of value, to be held, used and applied to carry out the purposes of this section and sections 10-357a, 10-357c and 10-357d, subject to such conditions upon which such grants and contributions may be made, including, but not limited to, gifts or grants from any department, agency or instrumentality of the United States or this state for any purpose consistent with this section and sections 10-357a, 10-357c and 10-357d;

(7) Make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this section and sections 10-357a, 10-357c and 10-357d, including contracts and agreements for such professional services as the center deems necessary, including, but not limited to, those services provided by financial consultants, underwriters and technical specialists;

(8) Acquire, lease, purchase, own, manage, hold and dispose of personal property, and lease, convey or deal in or enter into agreements with respect to such property on any terms necessary or incidental to the carrying out of these purposes;

(9) Invest in, acquire, purchase, own, manage, hold and dispose of real property and convey or deal in or enter into agreements with respect to such property on any terms necessary or incidental to carrying out the purposes of this section and sections 10-357a, 10-357c and 10-357d; [provided such transactions shall be subject to approval, review or regulation by any state agency pursuant to title 4b or any other provision of the general statutes;]

(10) Lease real property on any terms necessary or incidental to carrying out the purposes of this section and sections 10-357a, 10-357c and 10-357d;

Substitute House Bill No. 6882

(11) Procure insurance against any liability or loss in connection with its property and other assets, in such amounts and from such insurers as it deems desirable and to procure insurance for employees;

(12) Account for and audit funds of the center and funds of any recipients of funds from the center;

(13) Hold patents, copyrights, trademarks, marketing rights, licenses, or any other evidences of protection or exclusivity as to any products as defined in this section and sections 10-357a, 10-357c and 10-357d, issued under the laws of the United States or any state or any nation;

(14) Establish advisory committees to assist in accomplishing its duties under this section and sections 10-357a, 10-357c and 10-357d, which may include one or more members of the board of directors and persons other than members; and

(15) Do all acts and things necessary or convenient to carry out the purposes of this section and sections 10-357a, 10-357c and 10-357d, and the powers expressly granted by this section and sections 10-357a, 10-357c and 10-357d.

(b) The State Education Resource Center shall establish a Connecticut School Reform Resource Center either within the State Education Resource Center or by contract through a regional educational service center, established pursuant to section 10-66a. The Connecticut School Reform Resource Center shall operate year-round and shall focus on serving the needs of all public schools. The Connecticut School Reform Resource Center shall (1) publish and distribute reports on the most effective practices for improving student achievement by successful schools; (2) provide a program of professional development activities for (A) school leaders, including curriculum coordinators, principals, superintendents and board of education members, and (B) teachers to educate students that includes research-based child development and

Substitute House Bill No. 6882

reading instruction tools and practices; (3) provide information on successful models for evaluating student performance and managing student data; (4) develop strategies for assisting such students who are in danger of failing; (5) develop culturally relevant methods for educating students whose primary language is not English; and (6) provide other programs and materials to assist in the improvement of public schools.

(c) The State Education Resource Center shall be subject to [(1) rules, regulations and restrictions on purchasing, procurement, personal service agreements and the disposition of assets generally applicable to Connecticut state agencies, including those contained in titles 4, 4a and 4b and section 4e-19, and (2)] audit by the Auditors of Public Accounts under chapter 12 and section 2-90.

Sec. 10. Section 10-212k of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2023*):

On and after September 1, [2023] 2024, each local and regional board of education shall provide free menstrual products, as defined in section 18-69e, in women's restrooms, all-gender restrooms and at least one men's restroom, which restrooms are accessible to students in grades three to twelve, inclusive, in each school under the jurisdiction of such boards and in a manner that does not stigmatize any student seeking such products, pursuant to guidelines established by the Commissioner of Public Health under section 19a-131l. To carry out the provisions of this section, the local and regional boards of education may (1) accept donations of menstrual products and grants from any source for the purpose of purchasing such products, and (2) partner with a nonprofit or community-based organization.

Sec. 11. Subsection (a) of section 10-211a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Substitute House Bill No. 6882

(a) As used in this section and section 10-211b, "designated staff member" means a teacher, school administrator, school counselor, [school counselor,] psychologist, social worker, nurse, physician or school paraeducator employed by a local or regional board of education or working in a public middle school or high school.

Sec. 12. Subdivision (2) of subsection (a) of section 14-111e of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(2) The commissioner shall suspend, for a period of sixty days, the motor vehicle operator's license or nonresident operating privilege of any person who has been convicted of a violation of subdivision (1) of subsection (b) of section 30-89 or subsection (b) [.] or (c) of section 21a-279a and who was under the age of twenty-one at the time of such violation.

Sec. 13. Subsection (d) of section 10-265s of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(d) Not later than December 1, 2023, the Office of Workforce Strategy shall submit a report to the Governor and the joint standing committees of the General Assembly having cognizance of matters relating to education, higher education and employment advancement and labor and public employees, in accordance with the provisions of section 11-4a. Such report shall include, but not be limited to, the number of individuals who have enrolled in a training program offered as part of the pilot program, the number of individuals who have completed such training programs, and the number of individuals who have completed such training program and obtained a permanent job in the heating, ventilation and air conditioning system sector.

Sec. 14. Subsection (c) of section 8-210 of the general statutes is

Substitute House Bill No. 6882

repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) The Office of Early Childhood, in consultation with representatives from child care centers, group child care homes and family child care homes, within available appropriations, shall develop guidelines for programs provided at state-contracted child care centers, group child care [home] homes and family child care homes. The guidelines shall include standards for program quality and design and identify short and long-term outcomes for families participating in such programs. The Office of Early Childhood, within available appropriations, shall provide a copy of such guidelines to each state-contracted child care center, group child care home and family child care home. Each state-contracted child care center, group child care home and family child care home shall use the guidelines to develop a program improvement plan for the next twelve-month period and shall submit the plan to the Office of Early Childhood. The plan shall include goals to be used for measuring such improvement. The Office of Early Childhood shall use the plan to monitor the progress of such child care center, group child care home or family child care home.

Sec. 15. Subdivision (5) of subsection (c) of section 10-15j of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(5) Two appointed by the minority leader of the House of Representatives, one of whom is a representative of the Connecticut Association of Schools and one of whom is a representative of the Connecticut Association of Latino Administrators and Superintendents;

Sec. 16. Subsection (e) of section 10-15j of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Substitute House Bill No. 6882

(e) The Commissioner of Education, or the commissioner's designee, shall serve as the [chairpersons] chairperson of the commission.

Sec. 17. Section 10-16 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Each school district shall provide in each school year no less than one hundred [and] eighty days of actual school sessions for grades kindergarten to twelve, inclusive, nine hundred hours of actual school work for full-day kindergarten and grades one to twelve, inclusive, and four hundred [and] fifty hours of half-day kindergarten, provided school districts shall not count more than seven hours of actual school work in any school day towards the total required for the school year. Remote learning shall be considered an actual school session for purposes of this section, provided such remote learning is conducted in compliance with the standards developed pursuant to subsection (b) of section 10-4w. If weather conditions result in an early dismissal or a delayed opening of school, a school district which maintains separate morning and afternoon half-day kindergarten sessions may provide either a morning or afternoon half-day kindergarten session on such day. As used in this section, "remote learning" means instruction by means of one or more Internet-based software platforms as part of a remote learning model.

Sec. 18. Subsection (a) of section 10-16b of the general statutes, as amended by section 376 of public act 21-2 of the June special session and section 263 of public act 22-118, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2023*):

(a) In the public schools the program of instruction offered shall include at least the following subject matter, as taught by legally qualified teachers, the arts; career education; consumer education; health and safety, including, but not limited to, human growth and development, nutrition, first aid, including cardiopulmonary

Substitute House Bill No. 6882

resuscitation training in accordance with the provisions of section 10-16qq, disease prevention and cancer awareness, including, but not limited to, age and developmentally appropriate instruction in performing self-examinations for the purposes of screening for breast cancer and testicular cancer, community and consumer health, physical, mental and emotional health, including youth suicide prevention, substance abuse prevention, including instruction relating to opioid use and related disorders, safety, which shall include the safe use of social media, as defined in section 9-601, and may include the dangers of gang membership, and accident prevention; language arts, including reading, writing, grammar, speaking and spelling; mathematics; physical education; science, which shall include the climate change curriculum described in subsection (d) of this section; social studies, including, but not limited to, citizenship, economics, geography, government, history and Holocaust and genocide education and awareness in accordance with the provisions of section 10-18f; African-American and black studies in accordance with the provisions of section 10-16ss; Puerto Rican and Latino studies in accordance with the provisions of section 10-16ss; Native American studies, in accordance with the provisions of section 10-16vv; computer programming instruction; and in addition, on at least the secondary level, one or more world languages; vocational education; and the black and Latino studies course in accordance with the provisions of sections 10-16tt and 10-16uu. For purposes of this subsection, world languages shall include American Sign Language, provided such subject matter is taught by a qualified instructor under the supervision of a teacher who holds a certificate issued by the State Board of Education. For purposes of this subsection, the "arts" means any form of visual or performing arts, which may include, but not be limited to, dance, music, art and theatre; and "reading" means evidenced-based instruction that focuses on competency in oral language, phonemic awareness, phonics, fluency, vocabulary, rapid automatic name or letter name fluency and reading comprehension.

Substitute House Bill No. 6882

Sec. 19. Subsection (a) of section 10-16b of the general statutes, as amended by section 32 of public act 22-80, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2025*):

(a) In the public schools the program of instruction offered shall include at least the following subject matter, as taught by legally qualified teachers, the arts; career education; consumer education; health and safety, including, but not limited to, human growth and development, nutrition, first aid, including cardiopulmonary resuscitation training in accordance with the provisions of section 10-16qq, disease prevention and cancer awareness, including, but not limited to, age and developmentally appropriate instruction in performing self-examinations for the purposes of screening for breast cancer and testicular cancer, community and consumer health, physical, mental and emotional health, including youth suicide prevention, substance abuse prevention, including instruction relating to opioid use and related disorders, safety, which shall include the safe use of social media, as defined in section 9-601, and may include the dangers of gang membership, and accident prevention; language arts, including reading, writing, grammar, speaking and spelling; mathematics; physical education; science, which may include the climate change curriculum described in subsection (d) of this section; social studies, including, but not limited to, citizenship, economics, geography, government, history and Holocaust and genocide education and awareness in accordance with the provisions of section 10-18f; African-American and black studies in accordance with the provisions of section 10-16ss; Puerto Rican and Latino studies in accordance with the provisions of section 10-16ss; Native American studies, in accordance with the provisions of section 10-16vv; Asian American and Pacific Islander studies, in accordance with the provisions of section 10-66ww; computer programming instruction; and in addition, on at least the secondary level, one or more world languages; vocational education; and the black and Latino studies course in accordance with the provisions of sections

Substitute House Bill No. 6882

10-16tt and 10-16uu. For purposes of this subsection, world languages shall include American Sign Language, provided such subject matter is taught by a qualified instructor under the supervision of a teacher who holds a certificate issued by the State Board of Education. For purposes of this subsection, the "arts" means any form of visual or performing arts, which may include, but not be limited to, dance, music, art and theatre; and "reading" means evidenced-based instruction that focuses on competency in oral language, phonemic awareness, phonics, fluency, vocabulary, rapid automatic name or letter name fluency and reading comprehension.

Sec. 20. Section 10-204d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Any [person] student who is exempt from the immunization requirements set forth in section 10-204a on religious grounds shall continue to be exempt from such requirements on religious grounds if such student transfers from one public or private school in the state to another public or private school in the state under the jurisdiction of either the same or a different local or regional board of education, or similar body governing a nonpublic school or schools.

Sec. 21. Subsection (b) of section 10-215l of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) A local or regional board of education, a regional educational service center, a cooperative arrangement pursuant to section 10-158a, child care centers, group child care homes and family child care homes, as such terms are described in section 19a-77, or any organization or entity administering or assisting in the development of a farm-to-school program, may apply, in a form and manner prescribed by the department, for a grant under this section. Such grant shall be used to develop or implement a farm-to-school program, which may include (1)

Substitute House Bill No. 6882

the purchase of equipment, resources or materials, including, but not limited to, local food products, gardening supplies, field trips to farms, gleaning on farms and stipends to visiting farmers, (2) the provision of professional development and skills training for educators, school nutrition professionals, parents, caregivers, child care providers and employees and volunteers of organizations administering or assisting in the development and implementation of farm-to-school programs, and (3) piloting new purchasing systems and programs.

Sec. 22. Subsection (f) of section 10-215l of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(f) Not later than January 1, 2023, and annually thereafter, the department shall submit a report on the CT Grown for CT Kids Grant Program 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. Such report shall include, but need not be limited to, an accounting of the funds appropriated and received by the department for the program, descriptions of each grant awarded under the program and how such grant was expended by the recipient [.] and an evaluation of the program and the success of local farm-to-school programs that have received grant awards under this section.

Sec. 23. Subsection (b) of section 10-221w of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) Not later than July 1, 2022, each local and regional board of education shall adopt a policy, or revise an existing policy, concerning the eligibility criteria for student enrollment in an advanced course or program. Such policy shall provide for multiple methods by which a student may satisfy the eligibility criteria for enrollment in an advanced course or program, including, but not limited to, recommendations

Substitute House Bill No. 6882

from teachers, administrators, school counselors or other school personnel. Such eligibility criteria shall not be based exclusively on a student's prior academic performance and [that] any use of a student's prior academic performance shall rely on evidence-based indicators of how a student will perform in an advanced course or program.

Sec. 24. Subdivision (3) of subsection (c) of section 10-222k of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(3) Any parent, [or] guardian or student serving as a member of any such committee shall not participate in the activities described in subparagraphs (A) to (C), inclusive, of subdivision (2) of this subsection or any other activity that may compromise the confidentiality of a student.

Sec. 25. Section 10-222w of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Not later than January 1, 2022, the Social Emotional Learning and School Climate Advisory Collaborative, established pursuant to section 10-222q, shall convene a working group to (1) review sections 10-222d to 10-222p, inclusive, relating to bullying and safe school climate plans, (2) make recommendations concerning (A) amendments to [said] sections 10-222d to 10-222p, inclusive, (B) the inclusion of restorative practices in safe school climate plans, and (C) state-wide adoption of the National School Climate Standards, and (3) provide technical assistance and support to local and regional boards of education in adopting and implementing the Connecticut Model School Climate Policy, policy number 5131.914. The Social Emotional Learning and School Climate Advisory Collaborative may consult with or include representatives from the national Collaborative for Academic, Social, and Emotional Learning as members of the working group in implementing the provisions of this section.

Substitute House Bill No. 6882

Sec. 26. Subsection (c) of section 10-222t of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) The parent or guardian of a student shall receive prior written notice of any social-emotional learning assessment or mental health and resiliency screening described in subdivision (2) of subsection (b) of this section that is to be administered pursuant to subsection (b) of this section. No student shall complete such assessment or screening unless such parent or guardian provides permission [that] for such student [may] to complete such assessment or screening.

Sec. 27. Subsection (b) of section 10-530 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) The comprehensive background checks required pursuant to subsection (c) of section 19a-80, subsection (c) of section 19a-87b [,] and subsection (a) of section 17b-749k, shall be conducted at least once every five years for each child care services provider or staff member in accordance with the provisions of 45 CFR 98.43, as amended from time to time.

Sec. 28. Subdivision (4) of section 17a-248 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(4) "Eligible children" means children (A) (i) from birth to thirty-six months of age, who are not eligible for special education and related services pursuant to sections 10-76a to 10-76h, inclusive, and (ii) thirty-six months of age or older, who are receiving early intervention services and are eligible or being evaluated for participation in preschool services pursuant to Part B of the Individuals with Disabilities Education Act, 20 USC 1411 et seq., until such children are enrolled in

Substitute House Bill No. 6882

such preschool services, and (B) who need early intervention services because such children are:

[(I)] (i) Experiencing a significant developmental delay as measured by standardized diagnostic instruments and procedures, including informed clinical opinion, in one or more of the following areas: Cognitive development; physical development, including vision or hearing; communication development; social or emotional development; or adaptive skills; or

[(II)] (ii) Diagnosed as having a physical or mental condition that has a high probability of resulting in developmental delay.

Sec. 29. Subsections (a) and (b) of section 10-264l of the general statutes are repealed and the following is substituted in lieu thereof (*Effective July 1, 2023*):

(a) The Department of Education shall, within available appropriations, establish a grant program (1) to assist (A) local and regional boards of education, (B) regional educational service centers, (C) the Board of Trustees of the Community-Technical Colleges on behalf of Quinebaug Valley Community College and Three Rivers Community College, and (D) cooperative arrangements pursuant to section 10-158a, and (2) in assisting the state in meeting its obligations pursuant to the decision in *Sheff v. O'Neill*, 238 Conn. 1 (1996), or any related stipulation or order in effect, as determined by the commissioner, to assist (A) the Board of Trustees of the Community-Technical Colleges on behalf of a regional community-technical college, (B) the Board of Trustees of the Connecticut State University System on behalf of a state university, (C) the Board of Trustees of The University of Connecticut on behalf of the university, (D) the board of governors for an independent institution of higher education, as defined in subsection (a) of section 10a-173, or the equivalent of such a board, on behalf of the independent institution of higher education, and (E) any

Substitute House Bill No. 6882

other third-party not-for-profit corporation approved by the commissioner with the operation of interdistrict magnet school programs. All interdistrict magnet schools shall be operated in conformance with the same laws and regulations applicable to public schools. For the purposes of this section "an interdistrict magnet school program" means a program which (i) supports racial, ethnic and economic diversity, (ii) offers a special and high quality curriculum, and (iii) requires students who are enrolled to attend at least half-time. An interdistrict magnet school program does not include a regional agricultural science and technology school, a technical education and career school or a regional special education center. For the school [years] year commencing July 1, 2017, [to July 1, 2023, inclusive] and each school year thereafter, the governing authority for each interdistrict magnet school program shall (I) restrict the number of students that may enroll in the school from a participating district to seventy-five per cent of the total school enrollment, and (II) maintain a total school enrollment that is in accordance with the reduced-isolation setting standards for interdistrict magnet school programs, developed by the Commissioner of Education pursuant to section 10-264r, as amended by this act.

(b) (1) Applications for interdistrict magnet school program operating grants awarded pursuant to this section shall be submitted annually to the Commissioner of Education at such time and in such manner as the commissioner prescribes, except that on and after July 1, 2009, applications for such operating grants for new interdistrict magnet schools, other than those that the commissioner determines will assist the state in meeting its obligations pursuant to the decision in *Sheff v. O'Neill*, 238 Conn. 1 (1996), or any related stipulation or order in effect, as determined by the commissioner, shall not be accepted until the commissioner develops a comprehensive state-wide interdistrict magnet school plan. The commissioner shall submit such comprehensive state-wide interdistrict magnet school plan on or before

Substitute House Bill No. 6882

October 1, 2016, to the joint standing committees of the General Assembly having cognizance of matters relating to education and appropriations.

(2) In determining whether an application shall be approved and funds awarded pursuant to this section, the commissioner shall consider, but such consideration shall not be limited to: (A) Whether the program offered by the school is likely to increase student achievement; (B) whether the program is likely to reduce racial, ethnic and economic isolation; (C) the percentage of the student enrollment in the program from each participating district; and (D) the proposed operating budget and the sources of funding for the interdistrict magnet school. For a magnet school not operated by a local or regional board of education, the commissioner shall only approve a proposed operating budget that, on a per pupil basis, does not exceed the maximum allowable threshold established in accordance with this subdivision. The maximum allowable threshold shall be an amount equal to one hundred twenty per cent of the state average of the quotient obtained by dividing net current expenditures, as defined in section 10-261, by average daily membership, as defined in said section, for the fiscal year two years prior to the fiscal year for which the operating grant is requested. The Department of Education shall establish the maximum allowable threshold no later than December fifteenth of the fiscal year prior to the fiscal year for which the operating grant is requested. If requested by an applicant that is not a local or regional board of education, the commissioner may approve a proposed operating budget that exceeds the maximum allowable threshold if the commissioner determines that there are extraordinary programmatic needs. For the fiscal years ending June 30, 2017, June 30, 2018, June 30, 2020, and June 30, 2021, in the case of an interdistrict magnet school that will assist the state in meeting its obligations pursuant to the decision in *Sheff v. O'Neill*, 238 Conn. 1 (1996), or any related stipulation or order in effect, as determined by the commissioner, the commissioner shall also consider whether the school

Substitute House Bill No. 6882

is meeting the reduced-isolation setting standards for interdistrict magnet school programs, developed by the commissioner pursuant to section 10-264r, as amended by this act. If such school has not met such reduced-isolation setting standards, it shall not be entitled to receive a grant pursuant to this section unless the commissioner finds that it is appropriate to award a grant for an additional year or years and approves a plan to bring such school into compliance with such reduced-isolation setting standards. If requested by the commissioner, the applicant shall meet with the commissioner or the commissioner's designee to discuss the budget and sources of funding.

(3) For the fiscal years ending June 30, 2018, to June 30, [2023] 2025, inclusive, the commissioner shall not award a grant to an interdistrict magnet school program that (A) has more than seventy-five per cent of the total school enrollment from one school district, or (B) does not maintain a total school enrollment that is in accordance with the reduced-isolation setting standards for interdistrict magnet school programs, developed by the Commissioner of Education pursuant to section 10-264r, as amended by this act, except the commissioner may award a grant to such school for an additional year or years if the commissioner finds it is appropriate to do so and approves a plan to bring such school into compliance with such residency or reduced-isolation setting standards.

(4) For the fiscal years ending June 30, 2018, to June 30, 2021, inclusive, if an interdistrict magnet school program does not maintain a total school enrollment that is in accordance with the reduced-isolation setting standards for interdistrict magnet school programs, developed by the commissioner pursuant to section 10-264r, as amended by this act, for two or more consecutive years, the commissioner may impose a financial penalty on the operator of such interdistrict magnet school program, or take any other measure, in consultation with such operator, as may be appropriate to assist such operator in complying with such

Substitute House Bill No. 6882

reduced-isolation setting standards.

Sec. 30. Subparagraph (C) of subdivision (3) of subsection (c) of section 10-264l of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2023*):

(C) (i) For the fiscal years ending June 30, 2015, to June 30, 2019, inclusive, each interdistrict magnet school operated by a regional educational service center that began operations for the school year commencing July 1, 2001, and that for the school year commencing July 1, 2008, enrolled at least fifty-five per cent, but no more than eighty per cent of the school's students from a single town, shall receive a per pupil grant (I) for each enrolled student who is a resident of the district that enrolls at least fifty-five per cent, but no more than eighty per cent of the school's students, up to an amount equal to the total number of such enrolled students as of October 1, 2013, using the data of record, in the amount of eight thousand one hundred eighty dollars, (II) for each enrolled student who is a resident of the district that enrolls at least fifty-five per cent, but not more than eighty per cent of the school's students, in an amount greater than the total number of such enrolled students as of October 1, 2013, using the data of record, in the amount of three thousand dollars, (III) for each enrolled student who is not a resident of the district that enrolls at least fifty-five per cent, but no more than eighty per cent of the school's students, up to an amount equal to the total number of such enrolled students as of October 1, 2013, using the data of record, in the amount of eight thousand one hundred eighty dollars, and (IV) for each enrolled student who is not a resident of the district that enrolls at least fifty-five per cent, but not more than eighty per cent of the school's students, in an amount greater than the total number of such enrolled students as of October 1, 2013, using the data of record, in the amount of seven thousand eighty-five dollars.

(ii) For the fiscal [year] years ending June 30, 2020, [and each fiscal year thereafter] to June 30, 2022, inclusive, each interdistrict magnet

Substitute House Bill No. 6882

school operated by a regional educational service center that began operations for the school year commencing July 1, 2001, and that for the school year commencing July 1, 2008, enrolled at least fifty-five per cent, but not more than eighty per cent of the school's students from a single town, shall receive a per pupil grant (I) for each enrolled student who is a resident of the district that enrolls at least fifty-five per cent, but not more than eighty per cent of the school's students, up to an amount equal to the total number of such enrolled students as of October 1, 2013, using the data of record, in the amount of eight thousand three hundred forty-four dollars, (II) for each enrolled student who is a resident of the district that enrolls at least fifty-five per cent, but not more than eighty per cent of the school's students, in an amount greater than the total number of such enrolled students as of October 1, 2013, using the data of record, in the amount of three thousand sixty dollars, (III) for each enrolled student who is not a resident of the district that enrolls at least fifty-five per cent, but no more than eighty per cent of the school's students, up to an amount equal to the total number of such enrolled students as of October 1, 2013, using the data of record, in the amount of eight thousand three hundred forty-four dollars, and (IV) for each enrolled student who is not a resident of the district that enrolls at least fifty-five per cent, but not more than eighty per cent of the school's students, in an amount greater than the total number of such enrolled students as of October 1, 2013, using the data of record, in the amount of seven thousand two hundred twenty-seven dollars.

Sec. 31. Subsection (o) of section 10-264*l* of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2023*):

(o) For the school years commencing July 1, 2009, to July 1, 2018, inclusive, and for the school year commencing July 1, 2023, any local or regional board of education operating an interdistrict magnet school pursuant to the decision in *Sheff v. O'Neill*, 238 Conn. 1 (1996), or any

Substitute House Bill No. 6882

related stipulation or order in effect, shall not charge tuition for any student enrolled in a preschool program or in kindergarten to grade twelve, inclusive, in an interdistrict magnet school operated by such school district, except the Hartford school district may charge tuition for any student enrolled in the Great Path Academy.

Sec. 32. Section 10-264r of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2023*):

Not later than July 1, 2017, the Commissioner of Education shall develop, and revise as necessary thereafter, reduced-isolation [setting] enrollment standards for interdistrict magnet school programs that shall serve as the enrollment requirements for purposes of section 10-264l, as amended by this act. Such standards shall (1) comply with the decision of Sheff v. O'Neill, 238 Conn. 1 (1996), or any related stipulation or order in effect, for an interdistrict magnet school program located in the Sheff region, as defined in subsection (k) of section 10-264l, as amended by this act, (2) define the term "reduced-isolation student" for purposes of the standards, [(2)] (3) establish a requirement for the minimum percentage of reduced-isolation students that can be enrolled in an interdistrict magnet school program, provided such minimum percentage is not less than twenty per cent of the total school enrollment, [(3)] (4) allow an interdistrict magnet school program to have a total school enrollment of reduced-isolation students that is not more than one per cent below the minimum percentage established by the commissioner, provided the commissioner approves a plan that is designed to bring the number of reduced-isolation students of such interdistrict magnet school program into compliance with the minimum percentage, and [(4)] (5) for the school year commencing July 1, 2018, authorize the commissioner to establish on or before May 1, 2018, and revise as necessary thereafter, an alternative reduced-isolation student enrollment percentage for an interdistrict magnet school program located in the Sheff region, [as defined in subsection (k) of section 10-

Substitute House Bill No. 6882

264l,] provided the commissioner (A) determines that such alternative (i) increases opportunities for students who are residents of Hartford to access an educational setting with reduced racial isolation or other categories of diversity, including, but not limited to, geography, socioeconomic status, special education, English language learners and academic achievement, (ii) complies with the decision of *Sheff v. O'Neill*, 238 Conn. 1 (1996), or any related stipulation or order in effect, and (B) approves a plan for such interdistrict magnet school program that is designed to bring the number of reduced-isolation students of such interdistrict magnet school program into compliance with such alternative or the minimum percentage described in subdivision (2) of this section. Not later than May 1, 2018, the commissioner shall submit a report on each alternative reduced-isolation student enrollment percentage established, pursuant to subdivision (4) of this section, for an interdistrict magnet school program located in the Sheff region 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. The reduced-isolation setting standards for interdistrict magnet school programs shall not be deemed to be regulations, as defined in section 4-166.

Sec. 33. Section 10-262s of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2023*):

(a) The Commissioner of Education may, to assist the state in meeting its obligations pursuant to the decision in *Sheff v. O'Neill*, 238 Conn. 1 (1996), or any related stipulation or order in effect, as determined by the Commissioner of Education, transfer funds appropriated for the Sheff settlement to the following: (1) Grants for interdistrict cooperative programs pursuant to section 10-74d, (2) grants for state charter schools pursuant to section 10-66ee, (3) grants for the interdistrict public school attendance program pursuant to section 10-266aa, (4) grants for interdistrict magnet schools pursuant to section 10-264l, as amended by

Substitute House Bill No. 6882

this act, and (5) to the Technical Education and Career System for programming.

(b) The Commissioner of Education may, to assist the state in meeting its obligations pursuant to the decision in Sheff v. O'Neill, 238 Conn. 1 (1996), or any related stipulation or order in effect, as determined by the Commissioner of Education, award grants with funds appropriated for the Sheff settlement for academic and social student support programs for the following voluntary interdistrict programs: (1) Interdistrict cooperative programs pursuant to section 10-74d, (2) the interdistrict public school attendance program pursuant to section 10-266aa, (3) interdistrict magnet school programs pursuant to section 10-264l, as amended by this act, and (4) the Technical Education and Career System.

Sec. 34. Section 10-15f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2023*):

Interstate Compact on Educational Opportunity for Military Children.

ARTICLE I

PURPOSE

It is the purpose of this compact to remove barriers to educational success imposed on children of military families because of frequent moves and deployment of their parents by:

A. Facilitating the timely enrollment of children of military families and ensuring that they are not placed at a disadvantage due to difficulty in the transfer of education records from the previous school districts or variations in entrance or age requirements.

B. Facilitating the student placement process through which children

Substitute House Bill No. 6882

of military families are not disadvantaged by variations in attendance requirements, scheduling, sequencing, grading, course content or assessment.

C. Facilitating the qualification and eligibility for enrollment, educational programs, and participation in extracurricular academic, athletic, and social activities.

D. Facilitating the on-time graduation of children of military families.

E. Providing for the promulgation and enforcement of administrative rules implementing the provisions of this compact.

F. Providing for the uniform collection and sharing of information between and among member states, schools and military families under this compact.

G. Promoting coordination between this compact and other compacts affecting military children.

H. Promoting flexibility and cooperation between the educational system, parents and the student in order to achieve educational success for the student.

ARTICLE II

DEFINITIONS

As used in this compact, unless the context clearly requires a different construction:

A. "Active duty" means full-time duty status in the active uniformed service of the United States, including members of the National Guard and Reserve on active duty orders pursuant to 10 USC [Section] Chapters 1209 and 1211.

Substitute House Bill No. 6882

B. "Children of military families" means school-aged children, enrolled in kindergarten through twelfth grade, in the household of an active duty member.

C. "Compact commissioner" means the voting representative of each compacting state appointed pursuant to Article VIII of this compact.

D. "Deployment" means the period one month prior to the service members' departure from their home station on military orders to six months after return to their home station.

E. "Educational records" means the official records, files, and data directly related to a student and maintained by the school or local education agency, including, but not limited, to records encompassing all the material kept in the student's cumulative folder such as general identifying data, records of attendance and of academic work completed, records of achievement and results of evaluative tests, health data, disciplinary status, test protocols and individualized education programs.

F. "Extracurricular activities" means a voluntary activity sponsored by the school or local education agency or an organization sanctioned by the local education agency. Extracurricular activities include, but are not limited to, preparation for and involvement in public performances, contests, athletic competitions, demonstrations, displays and club activities.

G. "Interstate Commission on Educational Opportunity for Military Children" means the commission that is created under Article IX of this compact, which is generally referred to as the Interstate Commission.

H. "Local education agency" means a public authority legally constituted by the state as an administrative agency to provide control of and direction for kindergarten through twelfth grade public educational institutions.

Substitute House Bill No. 6882

I. "Member state" means a state that has enacted this compact.

J. "Military installation" means a base, camp, post, station, yard, center, homeport facility for any ship, or other activity under the jurisdiction of the Department of Defense, including any leased facility, which is located within any of the several states, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, the Northern Marianas Islands and any other U.S. Territory. Such term does not include any facility used primarily for civil works, rivers and harbors projects, or flood control projects.

K. "Nonmember state" means a state that has not enacted this compact.

L. "Receiving state" means the state to which a child of a military family is sent, brought or caused to be sent or brought.

M. "Rule" means a written statement by the Interstate Commission promulgated pursuant to Article XII of this compact that is of general applicability, implements, interprets or prescribes a policy or provision of the compact, or an organizational, procedural or practice requirement of the Interstate Commission, and has the force and effect of statutory law in a member state, and includes the amendment, repeal or suspension of an existing rule.

N. "Sending state" means the state from which a child of a military family is sent, brought or caused to be sent or brought.

O. "State" means a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, the Northern Marianas Islands and any other U.S. territory.

P. "Student" means the child of a military family for whom the local education agency receives public funding and who is formally enrolled

Substitute House Bill No. 6882

in kindergarten through twelfth grade.

Q. "Transition" means (1) the formal and physical process of transferring from school to school, or (2) the period of time in which a student moves from one school in the sending state to another school in the receiving state.

R. "Uniformed services" means the Army, Navy, Air Force, Marine Corps, Coast Guard as well as the Commissioned Corps of the National Oceanic and Atmospheric Administration, and Public Health Services.

S. "Veteran" means a person who served in the uniformed services and who was discharged or released therefrom under conditions other than dishonorable.

ARTICLE III

APPLICABILITY

A. Except as otherwise provided in Section B, this compact shall apply to the children of:

1. Active duty members of the uniformed services as defined in this compact, including members of the National Guard and Reserve on active duty orders pursuant to 10 USC [Section] Chapters 1209 and 1211;

2. Members or veterans of the uniformed services who are severely injured and medically discharged or retired for a period of one year after medical discharge or retirement; and

3. Members of the uniformed services who die on active duty or as a result of injuries sustained on active duty for a period of one year after death.

B. The provisions of this interstate compact shall only apply to local education agencies as defined in this compact.

Substitute House Bill No. 6882

C. The provisions of this compact shall not apply to the children of:

1. Inactive members of the National Guard and military reserves;
2. Members of the uniformed services now retired, except as provided in Section A;
3. Veterans of the uniformed services, except as provided in Section A of this Article; and
4. Other U.S. Dept. of Defense personnel and other federal agency civilian and contract employees not defined as active duty members of the uniformed services.

ARTICLE IV

EDUCATIONAL RECORDS & ENROLLMENT

A. In the event that official education records cannot be released to the parents for the purpose of transfer, the custodian of the records in the sending state shall prepare and furnish to the parent a complete set of unofficial educational records containing uniform information as determined by the Interstate Commission. Upon receipt of the unofficial education records by a school in the receiving state, the school shall enroll and appropriately place the student based on the information provided in the unofficial records pending validation by the official records, as quickly as possible.

B. Simultaneous with the enrollment and conditional placement of the student, the school in the receiving state shall request the student's official education record from the school in the sending state. Upon receipt of this request, the school in the sending state will process and furnish the official education records to the school in the receiving state within ten days or within such time as is reasonably determined under the rules promulgated by the Interstate Commission.

Substitute House Bill No. 6882

C. Compacting states shall give thirty days from the date of enrollment or within such time as is reasonably determined under the rules promulgated by the Interstate Commission, for students to obtain any immunizations required by the receiving state. For a series of immunizations, initial vaccinations must be obtained within thirty days or within such time as is reasonably determined under the rules promulgated by the Interstate Commission.

D. Students shall be allowed to continue their enrollment at grade level in the receiving state commensurate with their grade level, including kindergarten, from a local education agency in the sending state at the time of transition, regardless of age. A student that has satisfactorily completed the prerequisite grade level in the local education agency in the sending state shall be eligible for enrollment in the next highest grade level in the receiving state, regardless of age. A student transferring after the start of the school year in the receiving state shall enter the school in the receiving state on their validated level from an accredited school in the sending state.

ARTICLE V

PLACEMENT & ATTENDANCE

A. When the student transfers before or during the school year, the receiving state school shall initially honor placement of the student in educational courses based on the student's enrollment in the sending state school and educational assessments conducted at the school in the sending state if the courses are offered. Course placement includes, but is not limited to, honors, International Baccalaureate, advanced placement, vocational, technical and career pathways courses. Continuing the student's academic program from the previous school and promoting placement in academically and career challenging courses should be paramount when considering placement. This does not preclude the school in the receiving state from performing

Substitute House Bill No. 6882

subsequent evaluations to ensure appropriate placement and continued enrollment of the student in the courses.

B. The receiving state school shall initially honor placement of the student in educational programs based on current educational assessments conducted at the school in the sending state or participation and placement in like programs in the sending state. Such programs include, but are not limited to: (1) Gifted and talented programs; and (2) English as a second language. This does not preclude the school in the receiving state from performing subsequent evaluations to ensure appropriate placement of the student.

C. (1) In compliance with the federal requirements of the Individuals with Disabilities Education Act, 20 U.S.C.A. Section 1400 et seq., the receiving state shall initially provide comparable services to a student with disabilities based on his current individualized education program; and (2) In compliance with the requirements of Section 504 of the Rehabilitation Act, 29 U.S.C.A. Section 794, and with Title II of the Americans with Disabilities Act, 42 U.S.C.A. Sections 12131-12165, the receiving state shall make reasonable accommodations and modifications to address the needs of incoming students with disabilities, subject to an existing 504 or Title II Plan, to provide the student with equal access to education. This does not preclude the school in the receiving state from performing subsequent evaluations to ensure appropriate placement of the student.

D. Local education agency administrative officials shall have flexibility in waiving course and program prerequisites, or other preconditions for placement in courses and programs offered under the jurisdiction of the local education agency.

E. A student whose parent or legal guardian is an active duty member of the uniformed services, as defined by the compact, and has been called to duty for, is on leave from, or immediately returned from

Substitute House Bill No. 6882

deployment to a combat zone or combat support posting, shall be granted additional excused absences at the discretion of the local education agency superintendent to visit with his parent or legal guardian relative to such leave or deployment of the parent or guardian.

ARTICLE VI

ELIGIBILITY

A. Eligibility for enrollment

1. Special power of attorney, relative to the guardianship of a child of a military family and executed under applicable law shall be sufficient for the purposes of enrollment and all other actions requiring parental participation and consent.

2. A local education agency shall be prohibited from charging local tuition to a transitioning military child placed in the care of a noncustodial parent or other person standing in loco parentis who lives in a jurisdiction other than that of the custodial parent.

3. A transitioning military child, placed in the care of a noncustodial parent or other person standing in loco parentis who lives in a jurisdiction other than that of the custodial parent, may continue to attend the school in which he was enrolled while residing with the custodial parent.

B. State and local education agencies shall facilitate the opportunity for transitioning military children's inclusion in extracurricular activities, regardless of application deadlines, to the extent they are otherwise qualified.

ARTICLE VII

GRADUATION

Substitute House Bill No. 6882

In order to facilitate the on-time graduation of children of military families states and local education agencies shall incorporate the following procedures:

A. Local education agency administrative officials shall waive specific courses required for graduation if similar course work has been satisfactorily completed in another local education agency or shall provide reasonable justification for denial. Should a waiver not be granted to a student who would qualify to graduate from the sending school, the local education agency shall provide an alternative means of acquiring required coursework so that graduation may occur on time.

B. States shall accept: (1) Exit or end-of-course exams required for graduation from the sending state; or (2) national norm-referenced achievement tests; or (3) alternative testing, in lieu of testing requirements for graduation in the receiving state. In the event the above alternatives cannot be accommodated by the receiving state for a student transferring in his senior year, then the provisions of Article VII, Section C shall apply.

C. Should a military student transferring at the beginning or during his or her senior year be ineligible to graduate from the receiving local education agency after all alternatives have been considered, the sending and receiving local education agencies shall ensure the receipt of a diploma from the sending local education agency, if the student meets the graduation requirements of the sending local education agency. In the event that one of the states in question is not a member of this compact, the member state shall use best efforts to facilitate the on-time graduation of the student in accordance with Sections A and B of this Article.

ARTICLE VIII

STATE COORDINATION

Substitute House Bill No. 6882

A. Each member state shall, through the creation of a State Council or use of an existing body or board, provide for the coordination among its agencies of government, local education agencies and military installations concerning the state's participation in, and compliance with, this compact and Interstate Commission activities. While each member state may determine the membership of its own State Council, its membership must include at least: The state superintendent of education, superintendent of a school district with a high concentration of military children, representative from a military installation, one representative each from the legislative and executive branches of government, and other offices and stakeholder groups the State Council deems appropriate. A member state that does not have a school district deemed to contain a high concentration of military children may appoint a superintendent from another school district to represent local education agencies on the State Council.

B. The State Council of each member state shall appoint or designate a military family education liaison to assist military families and the state in facilitating the implementation of this compact.

C. The compact commissioner responsible for the administration and management of the state's participation in the compact shall be appointed by the Governor or as otherwise determined by each member state.

D. The compact commissioner and the military family education liaison designated herein shall be ex-officio members of the State Council, unless either is already a full voting member of the State Council.

ARTICLE IX

INTERSTATE COMMISSION ON EDUCATIONAL
OPPORTUNITY FOR MILITARY CHILDREN

Substitute House Bill No. 6882

The member states hereby create the "Interstate Commission on Educational Opportunity for Military Children". The activities of the Interstate Commission are the formation of public policy and are a discretionary state function. The Interstate Commission shall:

A. Be a body corporate and joint agency of the member states and shall have all the responsibilities, powers and duties set forth herein, and such additional powers as may be conferred upon it by a subsequent concurrent action of the respective legislatures of the member states in accordance with the terms of this compact.

B. Consist of one Interstate Commission voting representative from each member state who shall be that state's compact commissioner.

1. Each member state represented at a meeting of the Interstate Commission is entitled to one vote.

2. A majority of the total member states shall constitute a quorum for the transaction of business, unless a larger quorum is required by the bylaws of the Interstate Commission.

3. A representative shall not delegate a vote to another member state. In the event the compact commissioner is unable to attend a meeting of the Interstate Commission, the Governor or State Council may delegate voting authority to another person from their state for a specified meeting.

4. The bylaws may provide for meetings of the Interstate Commission to be conducted by telecommunication or electronic communication.

C. Consist of ex-officio, nonvoting representatives who are members of interested organizations. Such ex-officio members, as defined in the bylaws, may include, but not be limited to, members of the representative organizations of military family advocates, local education agency officials, parent and teacher groups, the U.S.

Substitute House Bill No. 6882

Department of Defense, the Education Commission of the States, the Interstate Agreement on the Qualification of Educational Personnel and other interstate compacts affecting the education of children of military members.

D. Meet at least once each calendar year. The chairperson may call additional meetings and, upon the request of a simple majority of the member states, shall call additional meetings.

E. Establish an executive committee, whose members shall include the officers of the Interstate Commission and such other members of the Interstate Commission as determined by the bylaws. Members of the executive committee shall serve a one-year term. Members of the executive committee shall be entitled to one vote each. The executive committee shall have the power to act on behalf of the Interstate Commission, with the exception of rulemaking, during periods when the Interstate Commission is not in session. The executive committee shall oversee the day-to-day activities of the administration of the compact including enforcement and compliance with the provisions of the compact, its bylaws and rules, and other such duties as deemed necessary. The U.S. Dept. of Defense, shall serve as an ex-officio, nonvoting member of the executive committee.

F. Establish bylaws and rules that provide for conditions and procedures under which the Interstate Commission shall make its information and official records available to the public for inspection or copying. The Interstate Commission may exempt from disclosure information or official records to the extent they would adversely affect personal privacy rights or proprietary interests.

G. Give public notice of all meetings and all meetings shall be open to the public, except as set forth in the rules or as otherwise provided in the compact. The Interstate Commission and its committees may close a meeting, or portion thereof, where it determines by two-thirds vote that

Substitute House Bill No. 6882

an open meeting would be likely to:

1. Relate solely to the Interstate Commission's internal personnel practices and procedures;

2. Disclose matters specifically exempted from disclosure by federal and state statute;

3. Disclose trade secrets or commercial or financial information which is privileged or confidential;

4. Involve accusing a person of a crime, or formally censuring a person;

5. Disclose information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;

6. Disclose investigative records compiled for law enforcement purposes; or

7. Specifically relate to the Interstate Commission's participation in a civil action or other legal proceeding.

H. Cause its legal counsel or designee to certify that a meeting may be closed and shall reference each relevant exemptible provision for any meeting, or portion of a meeting, which is closed pursuant to this provision. The Interstate Commission shall keep minutes which shall fully and clearly describe all matters discussed in a meeting and shall provide a full and accurate summary of actions taken, and the reasons therefor, including a description of the views expressed and the record of a roll call vote. All documents considered in connection with an action shall be identified in such minutes. All minutes and documents of a closed meeting shall remain under seal, subject to release by a majority vote of the Interstate Commission.

I. Collect standardized data concerning the educational transition of

Substitute House Bill No. 6882

the children of military families under this compact as directed through its rules which shall specify the data to be collected, the means of collection and data exchange and reporting requirements. Such methods of data collection, exchange and reporting shall, insofar as is reasonably possible, conform to current technology and coordinate its information functions with the appropriate custodian of records as identified in the bylaws and rules.

J. Create a process that permits military officials, education officials and parents to inform the Interstate Commission if and when there are alleged violations of the compact or its rules or when issues subject to the jurisdiction of the compact or its rules are not addressed by the state or local education agency. This section shall not be construed to create a private right of action against the Interstate Commission or any member state.

ARTICLE X

POWERS AND DUTIES OF THE INTERSTATE COMMISSION

The Interstate Commission shall have the following powers:

A. To provide for dispute resolution among member states.

B. To promulgate rules and take all necessary actions to effect the goals, purposes and obligations as enumerated in this compact. The rules shall have the force and effect of statutory law and shall be binding in the compact states to the extent and in the manner provided in this compact.

C. To issue, upon request of a member state, advisory opinions concerning the meaning or interpretation of the interstate compact, its bylaws, rules and actions.

D. To enforce compliance with the compact provisions, the rules

Substitute House Bill No. 6882

promulgated by the Interstate Commission, and the bylaws, using all necessary and proper means, including but not limited to the use of judicial process.

E. To establish and maintain offices which shall be located within one or more of the member states.

F. To purchase and maintain insurance and bonds.

G. To borrow, accept, hire or contract for services of personnel.

H. To establish and appoint committees including, but not limited to, an executive committee as required by Article IX, Section E, which shall have the power to act on behalf of the Interstate Commission in carrying out its powers and duties hereunder.

I. To elect or appoint such officers, attorneys, employees, agents, or consultants, and to fix their compensation, define their duties and determine their qualifications; and to establish the Interstate Commission's personnel policies and programs relating to conflicts of interest, rates of compensation, and qualifications of personnel.

J. To accept any and all donations and grants of money, equipment, supplies, materials, and services, and to receive, utilize, and dispose of it.

K. To lease, purchase, accept contributions or donations of, or otherwise to own, hold, improve or use any property, real, personal or mixed.

L. To sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property, real, personal or mixed.

M. To establish a budget and make expenditures.

N. To adopt a seal and bylaws governing the management and

Substitute House Bill No. 6882

operation of the Interstate Commission.

O. To report annually to the legislatures, governors, judiciary, and state councils of the member states concerning the activities of the Interstate Commission during the preceding year. Such reports shall also include any recommendations that may have been adopted by the Interstate Commission.

P. To coordinate education, training and public awareness regarding the compact, its implementation and operation for officials and parents involved in such activity.

Q. To establish uniform standards for the reporting, collecting and exchanging of data.

R. To maintain corporate books and records in accordance with the bylaws.

S. To perform such functions as may be necessary or appropriate to achieve the purposes of this compact.

T. To provide for the uniform collection and sharing of information between and among member states, schools and military families under this compact.

ARTICLE XI

ORGANIZATION AND OPERATION OF THE INTERSTATE
COMMISSION

A. The Interstate Commission shall, by a majority of the members present and voting, within twelve months after the first Interstate Commission meeting, adopt bylaws to govern its conduct as may be necessary or appropriate to carry out the purposes of the compact, including, but not limited to:

Substitute House Bill No. 6882

1. Establishing the fiscal year of the Interstate Commission;
2. Establishing an executive committee, and such other committees as may be necessary;
3. Providing for the establishment of committees and for governing any general or specific delegation of authority or function of the Interstate Commission;
4. Providing reasonable procedures for calling and conducting meetings of the Interstate Commission, and ensuring reasonable notice of each such meeting;
5. Establishing the titles and responsibilities of the officers and staff of the Interstate Commission;
6. Providing a mechanism for concluding the operations of the Interstate Commission and the return of surplus funds that may exist upon the termination of the compact after the payment and reserving of all of its debts and obligations;
7. Providing start-up rules for initial administration of the compact.

B. The Interstate Commission shall, by a majority of the members, elect annually from among its members a chairperson, a vice-chairperson, and a treasurer, each of whom shall have such authority and duties as may be specified in the bylaws. The chairperson or, in the chairperson's absence or disability, the vice-chairperson, shall preside at all meetings of the Interstate Commission. The officers so elected shall serve without compensation or remuneration from the Interstate Commission provided that, subject to the availability of budgeted funds, the officers shall be reimbursed for ordinary and necessary costs and expenses incurred by them in the performance of their responsibilities as officers of the Interstate Commission.

Substitute House Bill No. 6882

C. Executive Committee, Officers and Personnel

1. The executive committee shall have such authority and duties as may be set forth in the bylaws, including, but not limited to:

a. Managing the affairs of the Interstate Commission in a manner consistent with the bylaws and purposes of the Interstate Commission;

b. Overseeing an organizational structure within, and appropriate procedures for the Interstate Commission to provide for the creation of rules, operating procedures, and administrative and technical support functions; and

c. Planning, implementing, and coordinating communications and activities with other state, federal and local government organizations in order to advance the goals of the Interstate Commission.

2. The executive committee may, subject to the approval of the Interstate Commission, appoint or retain an executive director for such period, upon such terms and conditions and for such compensation, as the Interstate Commission may deem appropriate. The executive director shall serve as secretary to the Interstate Commission, but shall not be a member of the Interstate Commission. The executive director shall hire and supervise such other persons as may be authorized by the Interstate Commission.

D. The Interstate Commission's executive director and its employees shall be immune from suit and liability, either personally or in their official capacity, for a claim for damage to or loss of property or personal injury or other civil liability caused or arising out of or relating to an actual or alleged act, error, or omission that occurred, or that such person had a reasonable basis for believing occurred, within the scope of Interstate Commission employment, duties, or responsibilities provided, such person shall not be protected from suit or liability for damage, loss, injury, or liability caused by the intentional or willful and

Substitute House Bill No. 6882

wanton misconduct of such person.

1. The liability of the Interstate Commission's executive director and employees or Interstate Commission representatives, acting within the scope of such person's employment or duties for acts, errors, or omissions occurring within such person's state may not exceed the limits of liability set forth under the Constitution and laws of that state for state officials, employees, and agents. The Interstate Commission is considered to be an instrumentality of the states for the purposes of any such action. Nothing in this subsection shall be construed to protect such person from suit or liability for damage, loss, injury, or liability caused by the intentional or willful and wanton misconduct of such person.

2. The Interstate Commission shall defend the executive director and its employees and, subject to the approval of the Attorney General or other appropriate legal counsel of the member state represented by an Interstate Commission representative, shall defend such Interstate Commission representative in any civil action seeking to impose liability arising out of an actual or alleged act, error or omission that occurred within the scope of Interstate Commission employment, duties or responsibilities, or that the defendant had a reasonable basis for believing occurred within the scope of Interstate Commission employment, duties, or responsibilities, provided that the actual or alleged act, error, or omission did not result from intentional or willful and wanton misconduct on the part of such person.

3. To the extent not covered by the state involved, member state, or the Interstate Commission, the representatives or employees of the Interstate Commission shall be held harmless in the amount of a settlement or judgment, including attorney's fees and costs, obtained against such persons arising out of an actual or alleged act, error, or omission that occurred within the scope of Interstate Commission employment, duties, or responsibilities, or that such persons had a

Substitute House Bill No. 6882

reasonable basis for believing occurred within the scope of Interstate Commission employment, duties, or responsibilities, provided that the actual or alleged act, error, or omission did not result from intentional or willful and wanton misconduct on the part of such persons.

ARTICLE XII

RULEMAKING FUNCTIONS OF THE INTERSTATE
COMMISSION

A. The Interstate Commission shall promulgate reasonable rules in order to effectively and efficiently achieve the purposes of this compact. Notwithstanding the foregoing, in the event the Interstate Commission exercises its rulemaking authority in a manner that is beyond the scope of the purposes of this compact, or the powers granted hereunder, then such an action by the Interstate Commission shall be invalid and have no force or effect.

B. Rules shall be made pursuant to a rulemaking process that substantially conforms to the "Model State Administrative Procedure Act," of 1981 Act, Uniform Laws Annotated, Vol. 15, p.1 (2000) as amended, as may be appropriate to the operations of the Interstate Commission.

C. Not later than thirty days after a rule is promulgated, any person may file a petition for judicial review of the rule provided, the filing of such a petition shall not stay or otherwise prevent the rule from becoming effective unless the court finds that the petitioner has a substantial likelihood of success. The court shall give deference to the actions of the Interstate Commission consistent with applicable law and shall not find the rule to be unlawful if the rule represents a reasonable exercise of the Interstate Commission's authority.

D. If a majority of the legislatures of the compacting states rejects a rule by enactment of a statute or resolution in the same manner used to

Substitute House Bill No. 6882

adopt the compact, then such rule shall have no further force and effect in any compacting state.

ARTICLE XIII

OVERSIGHT, ENFORCEMENT, AND DISPUTE RESOLUTION

A. Oversight

1. The executive, legislative and judicial branches of state government in each member state shall enforce this compact and shall take all actions necessary and appropriate to effectuate the compact's purposes and intent. The provisions of this compact and the rules promulgated hereunder shall have standing as statutory law.

2. All courts shall take judicial notice of the compact and the rules in any judicial or administrative proceeding in a member state pertaining to the subject matter of this compact which may affect the powers, responsibilities or actions of the Interstate Commission.

3. The Interstate Commission shall be entitled to receive all service of process in any such proceeding, and shall have standing to intervene in the proceeding for all purposes. Failure to provide service of process to the Interstate Commission shall render a judgment or order void as to the Interstate Commission, this compact or promulgated rules.

B. If the Interstate Commission determines that a member state has defaulted in the performance of its obligations or responsibilities under this compact, or the bylaws or promulgated rules, the Interstate Commission shall:

1. Provide written notice to the defaulting state and other member states of the nature of the default, the means of curing the default and any action taken by the Interstate Commission. The Interstate Commission shall specify the conditions by which the defaulting state

Substitute House Bill No. 6882

must cure its default.

2. Provide remedial training and specific technical assistance regarding the default.

3. If the defaulting state fails to cure the default, the defaulting state shall be terminated from the compact upon an affirmative vote of a majority of the member states and all rights, privileges and benefits conferred by this compact shall be terminated from the effective date of termination. A cure of the default does not relieve the offending state of obligations or liabilities incurred during the period of the default.

4. Suspension or termination of membership in the compact shall be imposed only after all other means of securing compliance have been exhausted. Notice of intent to suspend or terminate shall be given by the Interstate Commission to the Governor, the majority and minority leaders of the defaulting state's legislature, and each of the member states.

5. The state which has been suspended or terminated is responsible for all assessments, obligations and liabilities incurred through the effective date of suspension or termination including obligations, the performance of which extends beyond the effective date of suspension or termination.

6. The Interstate Commission shall not bear any costs relating to any state that has been found to be in default or which has been suspended or terminated from the compact, unless otherwise mutually agreed upon in writing between the Interstate Commission and the defaulting state.

7. The defaulting state may appeal the action of the Interstate Commission by petitioning the U.S. District Court for the District of Columbia or the federal district where the Interstate Commission has its principal offices. The prevailing party shall be awarded all costs of such

Substitute House Bill No. 6882

litigation including reasonable attorney's fees.

C. Dispute Resolution

1. The Interstate Commission shall attempt, upon the request of a member state, to resolve disputes which are subject to the compact and which may arise among member states and between member and nonmember states.

2. The Interstate Commission shall promulgate a rule providing for both mediation and binding dispute resolution for disputes as appropriate.

D. Enforcement

1. The Interstate Commission, in the reasonable exercise of its discretion, shall enforce the provisions and rules of this compact.

2. The Interstate Commission may, by majority vote of the members, initiate legal action in the United States District Court for the District of Columbia or, at the discretion of the Interstate Commission, in the federal district where the Interstate Commission has its principal offices, to enforce compliance with the provisions of the compact, its promulgated rules and bylaws, against a member state in default. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary the prevailing party shall be awarded all costs of such litigation including reasonable attorney's fees.

3. The remedies herein shall not be the exclusive remedies of the Interstate Commission. The Interstate Commission may avail itself of any other remedies available under state law or the regulation of a profession.

ARTICLE XIV

FINANCING OF THE INTERSTATE COMMISSION

Substitute House Bill No. 6882

A. The Interstate Commission shall pay, or provide for the payment of, the reasonable expenses of its establishment, organization and ongoing activities.

B. The Interstate Commission may levy on and collect an annual assessment from each member state to cover the cost of the operations and activities of the Interstate Commission and its staff which must be in a total amount sufficient to cover the Interstate Commission's annual budget as approved each year. The aggregate annual assessment amount shall be allocated based upon a formula to be determined by the Interstate Commission, which shall promulgate a rule binding upon all member states.

C. The Interstate Commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same; nor shall the Interstate Commission pledge the credit of any of the member states, except by and with the authority of the member state.

D. The Interstate Commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the Interstate Commission shall be subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the Interstate Commission shall be audited yearly by a certified or licensed public accountant and the report of the audit shall be included in and become part of the annual report of the Interstate Commission.

ARTICLE XV

MEMBER STATES, EFFECTIVE DATE AND AMENDMENT

A. Any state is eligible to become a member state.

B. The compact shall become effective and binding upon legislative enactment of the compact into law by no less than ten of the states. The

Substitute House Bill No. 6882

effective date shall be no earlier than December 1, 2007. Thereafter it shall become effective and binding as to any other member state upon enactment of the compact into law by that state. The governors of nonmember states or their designees shall be invited to participate in the activities of the Interstate Commission on a nonvoting basis prior to adoption of the compact by all states.

C. The Interstate Commission may propose amendments to the compact for enactment by the member states. No amendment shall become effective and binding upon the Interstate Commission and the member states unless and until it is enacted into law by unanimous consent of the member states.

ARTICLE XVI

WITHDRAWAL AND DISSOLUTION

A. Withdrawal

1. Once effective, the compact shall continue in force and remain binding upon each and every member state provided a member state may withdraw from the compact by specifically repealing the statute, which enacted the compact into law.

2. Withdrawal from this compact shall be by the enactment of a statute repealing the same, but shall not take effect until one year after the effective date of such statute and until written notice of the withdrawal has been given by the withdrawing state to the Governor of each other member jurisdiction.

3. The withdrawing state shall immediately notify the chairperson of the Interstate Commission in writing upon the introduction of legislation repealing this compact in the withdrawing state. The Interstate Commission shall notify the other member states of the withdrawing state's intent to withdraw within sixty days of its receipt

Substitute House Bill No. 6882

thereof.

4. The withdrawing state is responsible for all assessments, obligations and liabilities incurred through the effective date of withdrawal, including obligations, the performance of which extend beyond the effective date of withdrawal.

5. Reinstatement following withdrawal of a member state shall occur upon the withdrawing state reenacting the compact or upon such later date as determined by the Interstate Commission.

B. Dissolution of Compact

1. This compact shall dissolve effective upon the date of the withdrawal or default of the member state which reduces the membership in the compact to one member state.

2. Upon the dissolution of this compact, the compact becomes null and void and shall be of no further force or effect, and the business and affairs of the Interstate Commission shall be concluded and surplus funds shall be distributed in accordance with the bylaws.

ARTICLE XVII

SEVERABILITY AND CONSTRUCTION

A. The provisions of this compact shall be severable, and if any phrase, clause, sentence or provision is deemed unenforceable, the remaining provisions of the compact shall be enforceable.

B. The provisions of this compact shall be liberally construed to effectuate its purposes.

C. Nothing in this compact shall be construed to prohibit the applicability of other interstate compacts to which the states are members.

Substitute House Bill No. 6882

ARTICLE XVIII

BINDING EFFECT OF COMPACT AND OTHER LAWS

A. Other Laws

1. Nothing herein prevents the enforcement of any other law of a member state that is not inconsistent with this compact.

2. All member states' laws conflicting with this compact are superseded to the extent of the conflict.

B. Binding Effect of the Compact

1. All lawful actions of the Interstate Commission, including all rules and bylaws promulgated by the Interstate Commission, are binding upon the member states.

2. All agreements between the Interstate Commission and the member states are binding in accordance with their terms.

3. In the event any provision of this compact exceeds the constitutional limits imposed on the legislature of any member state, such provision shall be ineffective to the extent of the conflict with the constitutional provision in question in that member state.

Sec. 35. Subdivision (2) of subsection (a) of section 10-16p of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2023*):

(2) "Eligible children" means children [three and] from birth to four years of age, inclusive, and children five years of age who are not eligible to enroll in school pursuant to section 10-15c, or who are eligible to enroll in school and will attend a school readiness program pursuant to section 10-16t;

Sec. 36. Subsections (c) to (l), inclusive, of section 10-16p of the general

Substitute House Bill No. 6882

statutes are repealed and the following is substituted in lieu thereof
(Effective July 1, 2023):

(c) The commissioner shall establish a grant program to provide spaces in accredited school readiness programs located in priority school districts, as described in section 10-266p, or in former priority school districts for eligible children. The state, acting by and in the discretion of the Commissioner of Early Childhood, in consultation with a town or regional school readiness council, may enter into a contract with a municipality, local or regional board of education, regional educational service center, family resource center, provider of a child care center, group child care home or family child care home, as described in section 19a-77, Head Start program, preschool program or other program that meets such standards established by the commissioner, to provide, within available appropriations, state financial assistance. Eligibility shall be determined for a five-year period based on an applicant's designation as a priority school district for the initial year of application, except that if a school district that receives a grant pursuant to this subsection is no longer designated as a priority school district at the end of such five-year period, such former priority school district shall continue to be eligible to receive a grant pursuant to this subsection. Grant awards shall be made [annually] for the fiscal year ending June 30, 2023, and biennially thereafter, contingent upon available funding and a satisfactory annual evaluation. The chief elected official of such town and the superintendent of schools for such priority school district or former priority school district shall submit a plan for the expenditure of grant funds and responses to the local request for proposal process to the commissioner. The commissioner shall review and approve such plans. The plan shall: (1) Be developed in consultation with the local or regional school readiness council established pursuant to section 10-16r; (2) be based on a needs and resource assessment; (3) provide for the issuance of requests for proposals for providers of accredited school readiness programs, provided, after the initial

Substitute House Bill No. 6882

requests for proposals, facilities that have been approved to operate a child care program financed through the Connecticut Health and Education Facilities Authority and have received a commitment for debt service from the Department of Social Services, pursuant to section 17b-749i, on or before June 30, 2014, and on or after July 1, 2014, from the office, are exempt from the requirement for issuance of annual requests for proposals; and (4) identify the need for funding pursuant to section 17b-749a in order to extend the hours and days of operation of school readiness programs in order to provide child care services for children attending such programs.

(d) (1) The commissioner shall establish a competitive grant program to provide spaces in accredited school readiness programs or school readiness programs seeking accreditation located in (A) an area served by a priority school or a former priority school, (B) a town ranked one to fifty when all towns are ranked in ascending order according to town wealth, as defined in subdivision (26) of section 10-262f, whose school district is not a priority school district pursuant to section 10-266p, (C) a town formerly a town described in subparagraph (B) of this subdivision, as provided for in subdivision (2) of this subsection, or (D) a town designated as an alliance district, as defined in section 10-262u, whose school district is not a priority school district pursuant to section 10-266p. A town in which a priority school is located, a regional school readiness council, pursuant to subsection (c) of section 10-16r, for a region in which such a school is located or a town described in subparagraph (B) of this subdivision may apply for such a grant in an amount equal to the number of spaces in an accredited school readiness program or a school readiness program seeking accreditation multiplied by the per child cost set forth in subdivision (1) of subsection (b) of section 10-16q. Eligibility shall be determined for a three-year period based on an applicant's designation as having a priority school or being a town described in subparagraph (B) of this subdivision for the initial year of application. The state, acting by and in the discretion of the

Substitute House Bill No. 6882

Commissioner of Early Childhood, in consultation with a town or regional school readiness council, may enter into a contract with a municipality, local or regional board of education, regional educational service center, family resource center, provider of a child care center, group child care home or family child care home, as described in section 19a-77, Head Start program, preschool program or other program that meets such standards established by the commissioner, to provide, within available appropriations, state financial assistance. The chief elected official of such town and the superintendent of schools of the school district or the regional school readiness council shall submit a plan, as described in subsection (c) of this section, for the expenditure of such grant funds to the commissioner. In awarding grants pursuant to this subsection, the commissioner shall give preference to applications submitted by regional school readiness councils and may, within available appropriations, provide a grant to such town or regional school readiness council that increases the number of spaces for eligible children who reside in an area or town described in subparagraphs (A) to (D), inclusive, of this subdivision, in an accredited school readiness program or a school readiness program seeking accreditation.

(2) (A) Except as provided in subparagraph (C) of this subdivision, commencing with the fiscal year ending June 30, 2005, if a town received a grant pursuant to subdivision (1) of this subsection and is no longer eligible to receive such a grant, the town may receive a phase-out grant for each of the three fiscal years following the fiscal year such town received its final grant pursuant to subdivision (1) of this subsection.

(B) The amount of such phase-out grants shall be determined as follows: (i) For the first fiscal year following the fiscal year such town received its final grant pursuant to subdivision (1) of this subsection, in an amount that does not exceed seventy-five per cent of the grant amount such town received for the town or school's final year of eligibility pursuant to subdivision (1) of this subsection; (ii) for the

Substitute House Bill No. 6882

second fiscal year following the fiscal year such town received its final grant pursuant to subdivision (1) of this subsection, in an amount that does not exceed fifty per cent of the grant amount such town received for the town's or school's final year of eligibility pursuant to subdivision (1) of this subsection; and (iii) for the third fiscal year following the fiscal year such town received its final grant pursuant to subdivision (1) of this subsection, in an amount that does not exceed twenty-five per cent of the grant amount such town received for the town's or school's final year of eligibility pursuant to subdivision (1) of this subsection.

(C) For the fiscal year ending June 30, 2011, and each fiscal year thereafter, any town that received a grant pursuant to subparagraph (B) of subdivision (1) of this subsection for the fiscal year ending June 30, 2010, shall continue to receive a grant under this subsection even if the town no longer meets the criteria for such grant pursuant to subparagraph (B) of subdivision (1) of this subsection.

(e) (1) If funds appropriated for the purposes of subsection (c) of this section are not expended, the commissioner may deposit such unexpended funds in the account established under section 10-16aa and use such unexpended funds in accordance with the provisions of section 10-16aa.

(2) For the fiscal year ending June 30, 2015, and each fiscal year thereafter, if funds appropriated for the purposes of subsection (c) of this section are not expended, an amount up to one million dollars of such unexpended funds may be available for the provision of professional development for early childhood care and education program providers, and staff employed in such programs, provided such programs accept state funds for infant, toddler and preschool slots. Such unexpended funds may be available for use in accordance with the provisions of this subparagraph for the subsequent fiscal year. The commissioner may use such unexpended funds on and after July 1, 2015, to support early childhood education programs accepting state funds in

Substitute House Bill No. 6882

satisfying the staff qualifications requirements of subparagraphs (B) and (C) of subdivision (2) of subsection (b) of this section. The commissioner shall use any such funds to provide assistance to individual staff members, giving priority to those staff members (A) attending an institution of higher education accredited by the Board of Regents for Higher Education or the Office of Higher Education, and approved by the Office of Early Childhood, and regionally accredited, at a maximum of ten thousand dollars per staff member per year for the cost of higher education courses leading to a bachelor's degree or, not later than December 31, 2015, an associate degree, as such degrees are described in said subparagraphs (B) and (C), or (B) receiving noncredit competency-based training approved by the office, at a maximum of one thousand dollars per staff member per year, provided such staff members have applied for all available federal and state scholarships and grants, and such assistance does not exceed such staff members' financial need. Individual staff members shall apply for such unexpended funds in a manner determined by the commissioner. The commissioner shall determine how such unexpended funds shall be distributed.

(3) If funds appropriated for the purposes of subsection (c) of this section are not expended pursuant to subsection (c) of this section, deposited pursuant to subdivision (1) of this subsection, or used pursuant to subdivision (2) of this subsection, the commissioner may use such unexpended funds to support local school readiness programs. The commissioner may use such funds for purposes including, but not limited to, (A) assisting local school readiness programs in meeting and maintaining accreditation requirements, (B) providing training in implementing the preschool assessment and curriculum frameworks, including training to enhance literacy teaching skills, (C) developing a state-wide preschool curriculum, (D) developing student assessments for students in grades kindergarten to two, inclusive, (E) developing and implementing best practices for parents in supporting preschool

Substitute House Bill No. 6882

and kindergarten student learning, (F) developing and implementing strategies for children to successfully transition to preschool and from preschool to kindergarten, including through parental engagement and whole-family supports that may be utilized through the two-generational initiative, established pursuant to section 17b-112l, or through other available resources, (G) providing for professional development, including assisting in career ladder advancement, for school readiness staff, (H) providing supplemental grants to other towns that are eligible for grants pursuant to subsection (c) of this section, and (I) developing a plan to provide spaces in an accredited school readiness program or a school readiness program seeking accreditation to all eligible children who reside in an area or town described in subparagraphs (A) to (D), inclusive, of subdivision (1) of subsection (d) of this section.

(f) Any school readiness program that receives funds pursuant to this section or section 10-16u shall not discriminate on the basis of race, color, national origin, gender, religion or disability. For purposes of this section, a nonsectarian program means any public or private school readiness program that is not violative of the Establishment Clause of the Constitution of the State of Connecticut or the Establishment Clause of the Constitution of the United States of America.

(g) Subject to the provisions of this subsection, no funds received by a town pursuant to subsection (c) or (d) of this section or section 10-16u shall be used to supplant federal, state or local funding received by such town for early childhood education, provided a town may use an amount determined in accordance with this subsection for coordination, program evaluation and administration. Such amount shall be at least five per cent of the total grant allocation, but not more than seventy-five thousand dollars and shall be determined by the commissioner based on the school readiness grant award allocated to the town pursuant to subsection (c) or (d) of this section or section 10-16u and the number of

Substitute House Bill No. 6882

operating sites for coordination, program evaluation and administration. Such amount shall be increased by an amount equal to local funding provided for early childhood education coordination, program evaluation and administration, not to exceed twenty-five thousand dollars. Each town that receives a grant pursuant to subsection (c) or (d) of this section or section 10-16u shall designate a person to be responsible for such coordination, program evaluation and administration and to act as a liaison between the town and the commissioner. Each school readiness program that receives funds pursuant to this section or section 10-16u shall provide information to the commissioner or the school readiness council, as requested, that is necessary for purposes of any school readiness program evaluation.

(h) Any town receiving a grant pursuant to this section may use such grant, with the approval of the commissioner, to prepare a facility or staff for operating a school readiness program and shall be adjusted based on the number of days of operation of a school readiness program if a shorter term of operation is approved by the commissioner.

(i) A town may use grant funds to purchase spaces for eligible children who reside in such town at an accredited school readiness program located in another town. A regional school readiness council may use grant funds to purchase spaces for eligible children who reside in the region covered by the council at an accredited school readiness program located outside such region.

(j) Children enrolled in school readiness programs funded pursuant to this section shall not be counted (1) as resident students for purposes of subdivision (22) of section 10-262f, or (2) in the determination of average daily membership pursuant to subdivision (2) of subsection (a) of section 10-261.

(k) (1) Up to two per cent of the amount of the appropriation for this section may be allocated to the competitive grant program pursuant to

Substitute House Bill No. 6882

subsection (d) of this section. The determination of the amount of such allocation shall be made on or before August first.

(2) Up to two per cent of the amount of the appropriation for this section may be used by the commissioner in a manner consistent with the provisions of section 10-509.

[(1) For the fiscal year ending June 30, 2020, and each fiscal year thereafter, any school readiness program that (1) is licensed by the Office of Early Childhood pursuant to chapter 368a, (2) provides full-day and year-round child care and education programs for children, and (3) receives funds pursuant to this section or section 10-16u, shall use any amount of the per child cost as described in subdivision (1) of subsection (b) of section 10-16q that is over the amount of eight thousand nine hundred twenty-seven dollars, exclusively to increase the salaries of those individuals with direct responsibility for teaching or caring for children in a classroom at such school readiness program.]

Sec. 37. Subdivision (3) of subsection (a) of section 10-505 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2023*):

(3) "Eligible children" means children (A) [three and] from birth to four years of age, inclusive, and children five years of age who are not eligible to enroll in school pursuant to section 10-15c, or who are eligible to enroll in school and will attend a school readiness program pursuant to section 10-16t, and (B) who reside (i) in an area served by a priority school or a former priority school, as described in subdivision (2) of subsection (d) of section 10-16p, as amended by this act, (ii) in a town ranked one to fifty when all towns are ranked in ascending order according to town wealth, as defined in subdivision (26) of section 10-262f, whose school district is not a priority school district pursuant to section 10-266p, (iii) in a town formerly a town described in clause (ii) of this subparagraph, as provided for in subdivision (2) of subsection

Substitute House Bill No. 6882

(d) of section 10-16p, as amended by this act, or (iv) in a town designated as an alliance district, as defined in section 10-262u, whose school district is not a priority school district pursuant to section 10-266p;

Sec. 38. Subsection (b) of section 8-210 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2023*):

(b) The state, acting by and in the discretion of the Commissioner of Early Childhood, may enter into a contract with a municipality, a group child care home or family child care home, as described in section 19a-77, a human resource development agency or a nonprofit corporation for state financial assistance in developing and operating child care centers, group child care homes and family child care homes for children disadvantaged by reasons of economic, social or environmental conditions, provided no such financial assistance shall be available for the operating costs of any such child care center, group child care home or family child care home unless it has been licensed by the Commissioner of Early Childhood pursuant to section 19a-80. Such financial assistance shall be available for a program of a municipality, of a group child care home or family child care home, of a human resource development agency or of a nonprofit corporation which may provide for personnel, equipment, supplies, activities, program materials and renovation and remodeling of the physical facilities of such child care centers, group child care homes or family child care homes. Such contract shall provide for state financial assistance, within available appropriations, in the form of a state grant-in-aid (1) for a portion of the cost of such program, as determined by the Commissioner of Early Childhood, if not federally assisted, (2) equal to one-half of the amount by which the net cost of such program, as approved by the Commissioner of Early Childhood, exceeds the federal grant-in-aid thereof, or (3) in an amount not less than (A) the per child cost as described in subdivision (1) of subsection (b) of section 10-16q, for each

Substitute House Bill No. 6882

child in such program that is three or four years of age and each child that is five years of age who is not eligible to enroll in school, pursuant to section 10-15c, while maintaining services to children under three years of age under this section, and (B) thirteen thousand five hundred dollars for each child three years of age or under who is in infant or toddler care and not in a preschool program. Any such contract entered into on or after July 1, 2022, shall include a provision that at least sixty per cent of the children enrolled in such child care center, group child care home or family child care home are members of families [that] who are at or below seventy-five per cent of the state median income. [For the fiscal year ending June 30, 2024, and each fiscal year thereafter, the amount per child pursuant to subdivision (3) of this subsection that is over the amount of the per child cost that was prescribed pursuant to the contract under said subdivision (3) for the fiscal year ending June 30, 2023, shall be used exclusively to increase the salaries of early childhood educators employed at the child care center.] The Commissioner of Early Childhood may authorize child care centers, group child care homes and family child care homes receiving financial assistance under this subsection to apply a program surplus to the next program year. The Commissioner of Early Childhood shall consult with directors of child care centers in establishing fees for the operation of such centers. For the fiscal year ending June 30, 2023, the Commissioner of Early Childhood shall, within available appropriations, enter into contracts under this section for the purpose of expanding the number of spaces available to children three years of age or under who are in infant or toddler care and not in a preschool program.

Sec. 39. Subsections (a) and (b) of section 10-506 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective July 1, 2023*):

(a) For the fiscal [years] year ending June 30, 2015, [to June 30, 2024, inclusive] and each fiscal year thereafter, the Office of Early Childhood,

Substitute House Bill No. 6882

in consultation with the Department of Education, shall design and administer the Connecticut Smart Start competitive grant program to provide grants to local and regional boards of education for capital and operating expenses related to establishing or expanding a preschool program under the jurisdiction of the board of education for the town. A local or regional board of education may submit an application to the office, in accordance with the provisions of subsection (b) of this section, and may receive (1) a grant for capital expenses in an amount not to exceed seventy-five thousand dollars per classroom for costs related to the renovation of an existing public school to accommodate the establishment or expansion of a preschool program, and (2) an annual grant for operating expenses (A) in an amount not to exceed five thousand dollars per child served by such grant, or (B) in an amount not to exceed seventy-five thousand dollars for each preschool classroom, provided no town shall receive a total annual grant for operating expenses greater than three hundred thousand dollars. Each local or regional board of education that establishes or expands a preschool program under this section shall be eligible to receive an annual grant for operating expenses for a period of five years, provided such preschool program meets standards established by the Commissioner of Early Childhood. Such local or regional board of education may submit an application for renewal of such grant to the office.

(b) On and after July 1, 2014, local and regional boards of education, individually or cooperatively, pursuant to section 10-158a, may apply, at such time and in such manner as the commissioner prescribes, to the office for a capital grant and an operating grant for the purposes described in subsection (a) of this section. To be eligible to receive such grants under this section, an applicant board of education shall (1) demonstrate that it has a need for establishing or expanding a preschool program using information requested by the commissioner on a form prescribed by the commissioner, such as data collected from the preschool experience survey, described in section 10-515, (2) submit a

Substitute House Bill No. 6882

plan for the expenditure of grant funds received under this section that outlines how such board of education will use such funds to establish or expand a preschool program, including, but not limited to, the amount that such board will contribute to the operation of such preschool program and how such board of education will provide access to preschool for children who would not otherwise be able to enroll in a preschool program, and (3) submit a letter of support for establishing or expanding a preschool program by the local or regional school readiness council, described in section 10-16r, if any, for the school district. The commissioner shall give priority to boards of education (A) that demonstrate the greatest need for the establishment or expansion of a preschool program, and (B) whose plan allocates at least sixty per cent of the spaces in such preschool program to children who are members of families [that] who are at or below seventy-five per cent of the state median income, [, or fifty per cent of the spaces in such preschool program to children who are eligible for free and reduced price lunches.] The commissioner, in reviewing applications submitted under this subsection, shall also take into consideration (i) whether an applicant board of education (I) currently offers a full-day kindergarten program, (II) will be cooperating and coordinating with other governmental and community programs to provide services during periods when the preschool program is not in session, or (III) will collaborate with other boards of education, as part of a cooperative arrangement pursuant to section 10-158a, to offer a regional preschool program, and (ii) current community capacity for preschool programs and current opportunities for preschool for children in the community.

Sec. 40. Subsection (b) of section 10-500 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2023*):

(b) The office shall be responsible for:

(1) Delivering services to young children and their families to ensure

Substitute House Bill No. 6882

optimal health, safety and learning for each young child, including, but not limited to, coordinating agency efforts and data sharing in the two-generational initiative established pursuant to section 17b-112l;

(2) Developing and implementing the early childhood information system, in accordance with the provisions of section 10-501;

(3) Developing and reporting on the early childhood accountability plan, in accordance with the provisions of section 10-503;

(4) Implementing a communications strategy for outreach to families, service providers and policymakers;

(5) Beginning a state-wide longitudinal evaluation of the school readiness program examining the educational progress of children from prekindergarten programs to grade four, inclusive;

(6) Developing, coordinating and supporting public and private partnerships to aid early childhood initiatives;

(7) Developing a state-wide developmentally appropriate kindergarten entrance inventory that measures a child's level of preparedness for kindergarten, but shall not be used as a measurement tool for program accountability;

(8) Creating a unified set of reporting requirements for the purpose of collecting the data elements necessary to perform quality assessments and longitudinal analysis;

(9) Comparing and analyzing data collected pursuant to reporting requirements created under subdivision (8) of this subsection with the data collected in the state-wide public school information system, pursuant to section 10-10a, for population-level analysis of children and families;

(10) Continually monitoring and evaluating all early care and

Substitute House Bill No. 6882

education and child development programs and services, focusing on program outcomes in satisfying the health, safety, developmental and educational needs of all children;

(11) Coordinating home visitation services across programs for young children;

(12) Providing information and technical assistance to persons seeking early care and education and child development programs and services;

(13) Assisting state agencies and municipalities in obtaining available federal funding for early care and education and child development programs and services;

(14) Providing technical assistance to providers of early care and education programs and services to obtain licensing and improve program quality;

(15) Establishing a quality rating and improvement system developed by the office that covers home-based, center-based and school-based early child care and learning;

(16) Maintaining an accreditation facilitation initiative to assist early childhood care and education program and service providers in achieving national standards and program improvement;

(17) Consulting with the Early Childhood Cabinet, established pursuant to section 10-16z, and the Head Start advisory committee, established pursuant to section 10-16n;

(18) Ensuring a coordinated and comprehensive state-wide system of professional development for providers and staff of early care and education and child development programs and services;

(19) Providing families with opportunities for choice in services

Substitute House Bill No. 6882

including quality child care and community-based family-centered services;

(20) Integrating early childhood care and education and special education services;

(21) Promoting universal access to early childhood care and education;

(22) Ensuring nonduplication of monitoring and evaluation;

(23) Performing any other activities that will assist in the provision of early care and education and child development programs and services;

(24) Developing early learning and development standards to be used by early care and education providers;

(25) Developing and implementing a performance-based evaluation system to evaluate licensed child care centers, in accordance with the provisions of section 17b-749f; [and]

(26) Promoting the delivery of services to infants and toddlers to ensure optimal health, safety and learning of children from birth to three years of age; and

(27) Establishing a parent cabinet to advise the office on ways to strengthen partnership and communication with families, bring awareness to gaps and barriers to services, increase access to services for families and help make improvements to the lives of young children and families in the state.

Sec. 41. Subsection (b) of section 17b-749 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2023*):

(b) The commissioner shall establish income standards for applicants

Substitute House Bill No. 6882

and recipients at a level to include a family with gross income up to fifty per cent of the state-wide median income, except the commissioner (1) may increase the income level up to the maximum level allowed under federal law, (2) upon the request of the Commissioner of Children and Families, may waive the income standards for adoptive families so that children adopted on or after October 1, 1999, from the Department of Children and Families are eligible for the child care subsidy program, and (3) [on and after March 1, 2003, shall reduce the income eligibility level to up to fifty-five per cent of the state-wide median income for applicants and recipients who qualify based on their loss of eligibility for temporary family assistance] shall establish a two-tiered income eligibility threshold in accordance with 45 CFR 98.21(b), as amended from time to time. The commissioner may adopt regulations in accordance with chapter 54 to establish income criteria and durational requirements for such waiver of income standards.

Sec. 42. Section 7-464b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2023*):

(a) Subject to the provisions of subsection (b) of this section, and the provisions of any collective bargaining agreement, a municipality or a [local or regional board of education] public school operator may join together with any combination of other municipalities and [local or regional boards of education] public school operators by written agreement as a single entity for the purpose of providing medical or health care benefits for their employees. Such written agreement shall establish the membership of such group, the duration of such benefits plan, requirements regarding payment for such benefits plan and the procedures for a municipality or [local or regional board of education] public school operator to withdraw from such group and terminate such benefits plan. Such agreement shall not constitute a multiple employer welfare arrangement, as defined in Section 3 of the Employee Retirement Income Security Act of 1974, as amended from time to time.

Substitute House Bill No. 6882

Any group established pursuant to this section shall not be deemed a fictitious group. As used in this section, "municipality" means any town, city or borough, consolidated town and city, consolidated town and borough or any district, as defined in section 7-324; and "public school operator" means a local or regional board of education, a regional educational service center, the governing council of a state or local charter school, or an operator of an interdistrict magnet school program, as described in section 10-264l, as amended by this act.

(b) Before a municipality or a [local or regional board of education] public school operator may enter into an agreement described in subsection (a) of this section, the legislative body of a municipality shall approve such an agreement in cases where: (1) There is an existing arrangement between a municipality and the [board of education] public school operator serving such municipality for the provision of medical or health care benefits to the employees of both the municipality and the [board of education] public school operator serving such municipality; or (2) a municipality and the [board of education] public school operator serving such municipality have separate medical or health care benefits plans for their respective employees and both such benefits plans are paid for by the general fund of the municipality.

Sec. 43. Section 10-4a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2023*):

For purposes of sections 10-4, 10-4b and 10-220, as amended by this act, and subdivision (1) of subsection (b) of section 10-66dd, as amended by this act, the educational interests of the state shall include, but not be limited to, the concern of the state that (1) each child shall have for the period prescribed in the general statutes equal opportunity to receive a suitable program of educational experiences; (2) each school district shall finance at a reasonable level and at least, as appropriate, equal to the minimum budget requirement pursuant to the provisions of section 10-262j, an educational program designed to achieve this end; (3) in

Substitute House Bill No. 6882

order to reduce racial, ethnic and economic isolation, each school district shall provide educational opportunities for its students to interact with students and teachers from other racial, ethnic, and economic backgrounds and may provide such opportunities with students from other communities; and (4) the mandates in the general statutes pertaining to education within the jurisdiction of the State Board of Education be implemented.

Sec. 44. Subdivision (1) of subsection (b) of section 10-66dd of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2023*):

(b) (1) Subject to the provisions of this subsection and except as may be waived pursuant to subsection (d) of section 10-66bb, charter schools shall be subject to all federal and state laws governing public schools, including the provisions of sections 10-4a, as amended by this act, and 10-4b.

Sec. 45. (NEW) (*Effective July 1, 2023*) The Commissioner of Education shall employ at least one curriculum coordinator to provide assistance and curriculum materials to local and regional boards of education for the implementation of the courses of study set forth in subsection (d) of section 10-16b of the general statutes, in accordance with sections 10-16pp, 10-16qq, 10-16ss to 10-16ww, inclusive, and 10-18f of the general statutes.

Approved June 28, 2023