

OFFICE OF LEGISLATIVE RESEARCH  
PUBLIC ACT SUMMARY



**PA 23-150—HB 6762**

*Education Committee*

**AN ACT CONCERNING EARLY CHILDHOOD EDUCATION, AN AUDIT OF THE STATE-WIDE MASTERY EXAMINATION, THE ESTABLISHMENT OF THE CONNECTICUT CIVICS EDUCATION AND MEDIA LITERACY TASK FORCE, THE PROVISION OF SPECIAL EDUCATION, AND A BILL OF RIGHTS FOR MULTILINGUAL LEARNER STUDENTS**

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*Changes the term "English learner" to "multilingual learner" in the education statutes; requires SBE to draft a written bill of rights for parents or guardians of multilingual learner students*

### §§ 19-35 — CONFORMING CHANGES

*Makes conforming changes throughout various education statutes regarding multilingual learners*

### § 36 — REPEALER

*Repeals two obsolete sections related to English learners or bilingual education*

**SUMMARY:** This act makes various changes in the education statutes, described below in a section-by-section analysis.

**EFFECTIVE DATE:** Various, see below.

### **§ 1 — SCHOOL READINESS PROGRAM PER CHILD COST**

*Extends the FY 21 cap on the school readiness program's per child cost rate through FY 24 and increases it beginning in FY 25*

The act extends the FY 21 cap on the per child cost (i.e., \$9,027) of the Office of Early Childhood (OEC) school readiness program through FY 24. For FY 25 and subsequent fiscal years, the act increases the cap to \$10,500.

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By law, the OEC “school readiness program” is a nonsectarian program that (1) generally meets the office’s standards and program requirements and (2) provides a developmentally appropriate learning experience for at least 450 hours and 180 days for three-, four-, and five-year-old children not eligible to enroll in school.  
EFFECTIVE DATE: July 1, 2023

### *Background — Related Acts*

PA 23-204, § 330, makes an identical change regarding the per child cost for school readiness.

PA 23-160, §§ 35 & 37, makes school readiness eligibility begin at birth effective July 1, 2023.

### § 2 — CARE 4 KIDS PROGRAM

*Allows OEC to establish a protective service class making certain foster care children, newly adopted children, and homeless children categorically eligible for the Care 4 Kids program*

The Care 4 Kids program offers child care subsidies to income-eligible families whose parents or caretakers are working or participating in certain education or job training programs.

The act allows the OEC commissioner to institute a protective service class in which the commissioner may waive current law’s Care 4 Kids eligibility requirements for certain at-risk populations, instead applying guidelines that she prescribes and the Office of Policy and Management reviews. Specifically, she can institute this class for (1) children placed in a foster home by the Department of Children and Families and for whom the parent or legal guardian receives foster care payments, (2) adopted children for one year after the adoption, and (3) homeless children and youths as defined in federal law. By instituting the class, as allowed in federal law, these at-risk populations become categorically eligible for Care 4 Kids.

EFFECTIVE DATE: July 1, 2023

### § 3 — EMERGENCY EPINEPHRINE AUTHORIZATION AT CHILD CARE FACILITIES

*Authorizes child care providers, under certain conditions, to administer emergency first aid epinephrine to a child experiencing an allergic reaction; includes an option for parents to opt their child out*

The act authorizes an OEC-licensed child care provider to administer epinephrine for emergency first aid to a child in the provider’s care who has an allergic reaction and does not have a parent’s or guardian’s prior written authorization or a qualified medical professional’s prior written order.

The act requires that the (1) person administering the epinephrine be trained (see below), (2) provider maintain a supply of epinephrine cartridge injectors, and (3) epinephrine cartridge injectors be stored according to state law. Specifically, the

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administering person must have received training, either through certain first aid courses or from specified health professionals, in (1) recognizing the signs and symptoms of anaphylaxis, (2) using an epinephrine cartridge injector, and (3) following emergency protocols.

The act allows a parent or guardian to give the child care provider a written statement that the child not receive these emergency administrations.

EFFECTIVE DATE: July 1, 2023

### § 4 — RENAMING EARLY CHILDHOOD COUNCILS AS COLLABORATIVES

*Changes the name of “local and regional early childhood councils” to “local early childhood collaboratives”*

The act changes the name of “local and regional early childhood councils” to “local early childhood collaboratives.” By law, OEC must collaborate with and may provide funding to these entities to implement early care and education and child development programs, such as school readiness, at the local level.

EFFECTIVE DATE: July 1, 2023

### § 5 — STATEWIDE MASTERY TEST AUDIT

*Requires the education commissioner to audit statewide mastery test and local testing requirements and preparation and administration time*

The act requires the education commissioner, by January 1, 2025, and within available appropriations, to audit state and local testing requirements and administration. The commissioner must submit a report on the audit to the Appropriations and Education committees by this date.

The audit must focus on the following:

1. the statewide mastery examination (see *Background — Statewide Mastery Exams*) and local standardized assessments used to monitor student and district academic progress and achievement;
2. the amount of time devoted to student preparation or educator instruction for the exam and assessments, including the amount of time taken away from regular instruction; and
3. recommendations on limiting the amount of time devoted to administering these exams and assessments.

Additionally, the act specifies that if a grant to conduct the audit is available under the federal Every Student Succeeds Act, the commissioner must apply for the grant and the audit must comply with requirements in federal law for grant applications for state assessments and related activities (20 U.S.C. §§ 6361 - 6363).

EFFECTIVE DATE: July 1, 2023

*Background — Related Act*

PA 23-167, § 25, contains nearly identical requirements.

*Background — Statewide Mastery Exams*

Public school students statewide must take the following State Board of Education (SBE)-approved mastery exams that measure essential and grade-appropriate skills:

1. for grades 3-8, exams measuring reading, writing, and mathematics skills;
2. for grades 5, 8, and 11, exams measuring science skills; and
3. for grade 11, a nationally recognized, SBE-approved college readiness assessment (i.e., the SAT) measuring reading, writing and mathematics skills (CGS § 10-14n(a)).

§§ 6 & 7 — CIVICS AND MEDIA LITERACY EDUCATION

*Creates the Connecticut Civics Education, Civics Engagement and Media Literacy Task Force; adds civics and media literacy to the required public school social studies program of instruction*

*Task Force (§ 6)*

*Scope.* The act creates the 18-member Connecticut Civics Education, Civics Engagement and Media Literacy Task Force to study and develop strategies to improve and promote “civic engagement” (i.e., participation in improving a community’s quality of life and developing the knowledge and skills to enable this participation).

The task force also must study and develop strategies to improve instruction on civics, citizenship, media literacy, and American government. Under the act, (1) “civics” is the study of citizens’ rights and obligations and (2) “media literacy” is the ability to access, analyze, evaluate, create, and participate with media in all forms by understanding the media’s role in society and building inquiry and self-expression skills that are essential to participating and collaborating in a democratic society.

Specifically, the task force’s study must at least include the following:

1. a review of existing state and national curricula and standards, classroom practices, and high school and college graduation requirements to identify and publicize best practices in instruction on civics, citizenship, media literacy, and American government;
2. recommendations from educators, administrators, government entities, nongovernmental organizations, and the public;
3. a review of existing civics, citizenship, media literacy, and American government educational opportunities provided throughout Connecticut by governmental entities and nongovernmental organizations; and
4. an exploration of the feasibility of establishing public and private partnerships to fund, coordinate, promote, and support enhancements to engagement and instruction.

*Membership.* Under the act, the task force consists of seven legislative appointees, shown in the table below, and 11 ex-officio members. Each appointed member may be a legislator.

All initial appointments must be made by July 28, 2023. The appointing

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authority for each position must fill any vacancy that may arise.

**Connecticut Civics Education, Civics Engagement and Media Literacy Task Force  
Appointed Members**

<i>Appointing Authority</i>	<i>Appointee Qualifications</i>
House speaker	A certified social studies teacher who is a member of the American Federation of Teachers – Connecticut
Senate president pro tempore	A representative of the Connecticut Education Association
House majority leader	An officer or member of a nongovernmental organization that promotes civic education, civic engagement, or media literacy
Senate majority leader	An officer or member of a nongovernmental organization that promotes civic education, civic engagement, or media literacy
House minority leader	A representative of the Connecticut Association of Public School Superintendents
Senate minority leader	A representative of the Connecticut Association of Boards of Education
Black and Puerto Rican Caucus chairperson	One appointee

Additionally, the task force consists of the following ex-officio members or their designees:

1. secretary of the state;
2. education commissioner;
3. Connecticut State Colleges and Universities president;
4. UConn president;
5. Connecticut Bar Association president;
6. chief court administrator;
7. the two chairpersons of the Connecticut Hate Crimes Advisory Council;
8. Connecticut Humanities Council executive director;
9. Connecticut Democracy Center president; and
10. Commission on Women, Children, Seniors, Equity and Opportunity executive director.

*Chairpersons and Staff.* Under the act, the House speaker and Senate president pro tempore must select the task force chairpersons from among its members. The chairpersons must schedule the first meeting, which must be held by August 27, 2023.

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

*Duration and Final Report.* The act requires the task force to submit a report on its findings and recommendations to the Education Committee by January 1, 2025. The task force must terminate when it submits the report or on July 1, 2025, whichever is later.

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### *Required Program of Instruction (§ 7)*

Beginning in the 2025-26 school year, the act requires public schools to add to their social studies program of instruction the topics of civics and media literacy. By law, public schools must offer courses of study in social studies, among other subject areas, which includes citizenship, economics, geography, government, history, and Holocaust and genocide education and awareness.

EFFECTIVE DATE: Upon passage, except the provisions adding civics and media literacy to the required public school program of instruction take effect on July 1, 2025.

### § 8 — CTECS PROGRAM AND CAREER ALIGNMENT STUDY

*Requires the CTECS board to study its programs to determine whether they align with the technical careers available in Connecticut*

The act requires the Connecticut Technical Education and Career System (CTECS) board to study the programs offered at technical education and career high schools to determine whether they align with the technical careers available in the state.

The study must evaluate the following:

1. the skills or certifications required to fill the available jobs in the state,
2. any deficiencies in the training or availability of equipment at the schools to teach the skills required for these jobs, and
3. partnership opportunities with Connecticut employers or labor organizations to provide relevant apprenticeships or internships.

By January 1, 2025, the board must submit a report to the Education Committee on the study with any legislative or policy recommendations for improving technical high school programs to better align with the skills required for available jobs.

EFFECTIVE DATE: July 1, 2023

### §§ 9-11 — STATE AID FOR SPECIAL EDUCATION

*Prohibits SDE from including specified pandemic relief funds received by school districts when determining their special education excess cost grant amount; revises terminology referenced in calculating state aid for special education*

### *Excluding Pandemic Relief Funds From Excess Cost Grant Calculations (§ 9)*

By law, boards of education may receive a special education “excess cost grant” from SBE when a child’s reasonable special education costs exceed 4.5 times the board’s average per pupil educational costs (CGS § 10-76g(b)).

Beginning in FY 24, the act prohibits the State Department of Education (SDE) from including federal COVID-19 relief funds when calculating a board’s “net current expenditures per pupil” (see §§ 10 & 11, below) for determining the amount of its excess cost grant. Specifically, SDE must exclude from the calculation any

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funds a board received under the following federal acts: the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136); the Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act (P.L. 116-260); and the American Rescue Plan Act of 2021 (ARPA) (P.L. 117-2).

### *Terminology Revisions (§§ 10 & 11)*

Beginning in FY 24, the act revises terminology referenced in the state’s special education excess cost grant calculations but does not change the essential methodology used to calculate grant amounts. Under prior law, a board qualified for this grant if its special education costs exceeded 4.5 times its “average pupil educational costs,” an undefined term. Under the act, a board qualifies if its special education costs exceed 4.5 times its “net current expenditures per pupil,” which is the school district’s “net current expenditures,” divided by its “average daily membership,” as these terms are defined in existing law.

Relatedly, the act revises the definition of “per pupil cost” in special education state aid law. Prior law defined the term to mean “net current expenses,” an undefined term, divided by the school district’s average daily membership. The act instead defines it to mean a district’s “net current expenditures,” divided by its average daily membership, as these terms are defined in existing law.

It also makes various technical and conforming changes.

EFFECTIVE DATE: July 1, 2023

### § 12 — REMOTE LEARNING USING DUAL INSTRUCTION

*Allows dual instruction as part of remote learning when (1) needed to implement a student’s IEP or 504 plan or (2) part of an intradistrict or interdistrict cooperative learning program for students on school grounds during a regular school day*

Existing law allows local and regional boards of education to authorize remote learning, limited by various conditions, for grades (1) 9-12 in the 2022-23 and 2023-24 school years and (2) kindergarten through 12 beginning in the 2024-25 school year. “Remote learning” is instruction using one or more internet-based software platforms as part of a remote learning model.

Prior law prohibited boards from providing dual instruction to students in all grade levels as part of remote learning, should boards chose to authorize it. Existing law, unchanged by the act, defines “dual instruction” as simultaneous instruction by a teacher to students in-person in the classroom and to students engaged in remote learning. The act adds two exceptions to this prohibition.

First, it allows dual instruction when it is required in, or necessary to implement, a student’s individualized education program (IEP) or 504 plan. As required by federal law, these written plans outline educational services and accommodations to help students who are eligible for special education reach their academic achievement goals (i.e., IEPs) or to protect students with mental or physical disabilities from discrimination in public schools (i.e., 504 plans).

Second, the act allows dual instruction when part of an intradistrict or interdistrict cooperative learning program that provides remote learning

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opportunities to students present in a classroom on school grounds during a regular school day. At least one certified educator must be present in the classroom providing the dual instruction or in the classroom supervising the students receiving the dual instruction. Also, the program must be implemented under an agreement between each local or regional board of education and the exclusive bargaining unit representatives for the certified employees chosen to participate in the cooperative learning program.

EFFECTIVE DATE: July 1, 2023

### § 13 — SPECIAL EDUCATION TASK FORCE

*Expands the scope and membership of the task force studying special education services and funding; extends its reporting deadline and termination date*

#### *Expanded Scope*

Prior law established a task force to study the provision and funding of special education during the 2016-17 through 2020-21 school years. The act specifically requires that the task force focus on special education services delivery and eligibility in addition to funding as under prior law. It also adds the following to the scope of the task force's study:

1. providing services to gifted and talented students;
2. student services or accommodations in 504 plans;
3. the cost of providing gifted and talented services and its effect on a board of education's minimum budget requirement;
4. the level of state reimbursement to boards for gifted and talented services;
5. school districts' methods for identifying students who are gifted and talented, including the criteria they are using and whether they are over- or under-identifying them;
6. the feasibility of authorizing independent special education evaluators, from either SDE or hired by a student's parent or guardian, to observe special education services being provided in the classroom;
7. delaying the age when a child requiring special education and related services receives a classification category for the services;
8. special education student-to-teacher ratios prescribed by case load policies, regulations, and formulas in effect in other states, focusing on the number of students and intensity of services required;
9. prohibiting the use of seclusion and implementing alternative methods to address certain student behavior; and
10. any other issues or topics relating to special education that the task force finds necessary.

#### *Membership*

The act also adds the following eight members to the 15-member task force, bringing its total membership to 23:

1. two representatives from Connecticut educator preparation programs, (a)

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one from a program offered by public higher education institution, appointed by the House minority leader; and (b) another from a program offered at an independent higher education institution, appointed by the Senate minority leader;

2. the Education Committee chairpersons and ranking members, or their designees;
3. the Advisory Council for Special Education chairperson; and
4. a representative of the Connecticut Association of Private Special Education Facilities, designated by the association.

The appointing authorities must appoint the additional members by July 28, 2023, and, as under existing law, must fill any vacancies that may arise.

### *Reporting and Termination*

The act extends the deadline by which the task force must submit its final report to the Education Committee and adds an interim report. Under the act, the task force must submit (1) an interim, rather than a final, report on its findings by January 1, 2024, and (2) a final report on its findings and recommendations by January 1, 2025.

The act also extends the task force's termination date from January 1, 2024, to July 1, 2025, or when it submits the report, whichever is later.

EFFECTIVE DATE: Upon passage

## § 14 — CHARTER SCHOOL ENROLLMENT CRITERIA

*Generally prohibits charter schools from asking about or considering an applicant student's need for or receipt of special education and related services, including as part of enrollment lottery criteria*

The act prohibits state or local charter schools, beginning July 1, 2023, from asking on their enrollment application about a prospective student's need for or receipt of special education and related services. It also prohibits these schools from considering need for these services as part of their enrollment lottery criteria. The act makes an exception for schools that receive an SBE waiver from the enrollment lottery's requirements because they have a primary purpose of, among other things, serving students who require special education.

The act also makes a conforming change by replacing the term "English language learners" with "multilingual learners" (see §§ 17-35 below).

EFFECTIVE DATE: July 1, 2023

## § 15 — SPECIAL EDUCATION COMPLAINTS FILED WITH SDE

*Requires SDE to post online summaries of (1) special education complaints filed with the department and (2) corrective actions the department requires*

Beginning July 1, 2023, the act requires SDE to post on its website summaries of the (1) complaints filed with the department about a board of education's or other

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entity's provision of special education and related services to a student and (2) corrective actions the department requires. Before posting these decisions and documents online, SDE must redact any personally identifiable student information.

EFFECTIVE DATE: July 1, 2023

### § 16 — 504 PLANS AND SCHOOL EMPLOYEES

*Prohibits boards of education from disciplining any school employee who discusses or makes recommendations about student services or accommodations during a 504 plan meeting*

The act prohibits local or regional boards of education from disciplining, suspending, terminating, or otherwise punishing any school employee who discusses or makes recommendations about the services or accommodations for a student's 504 plan during any meeting held to discuss the plan (see *Background — Related Act*).

Under existing law, similar protections apply to planning and placement team members, birth-to-three services coordinators, and certain qualified personnel.

EFFECTIVE DATE: July 1, 2023

#### *Background — Related Act*

PA 23-167, § 87, repeals the statutory definition of "school employee" to which the act cites.

### §§ 17 & 18 — MULTILINGUAL LEARNERS' BILL OF RIGHTS

*Changes the term "English learner" to "multilingual learner" in the education statutes; requires SBE to draft a written bill of rights for parents or guardians of multilingual learner students*

The act changes the term used in education law for a student whose primary language is not English from "English learner" to "multilingual learner." It defines "multilingual learner" using the federal definition of "English learner," which is an individual who meets the following criteria:

1. is aged 3 through 21;
2. is enrolled or preparing to enroll in an elementary school or secondary school;
3. either (a) was not born in the United States or whose native language is a language other than English; (b) is a Native American or Alaska Native, or a native resident of the outlying areas, and comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency; or (c) is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant; and
4. whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual (a) the ability to meet the challenging state academic standards, (b) the ability to successfully

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achieve in classrooms where the language of instruction is English, or (c) the opportunity to participate fully in society (20 U.S.C. § 7801).

The act also requires SBE to draft a written bill of rights for parents or guardians of multilingual learner (ML) students to guarantee that their rights are safeguarded and protected when bilingual education is provided as required under state law. The bill of rights must include declarations of 15 rights on topics including (1) attending school regardless of the student's immigration status, (2) having translation services provided by the school district, and (3) participating in a bilingual education program as prescribed by state law. Most of these rights are already provided either in a U.S. Supreme Court ruling (see *Background — Plyler v. Doe*, 457 U.S. 202 (1982)), federal guidance, or a state law or regulation.

Beginning with the 2024-25 school year, the act requires each local and regional board of education (i.e., "school board") that provides bilingual education or English as a new language to (1) give the parents and guardians of eligible students a copy of the bill of rights in the parents' and guardians' dominant language and (2) make the bill of rights available on its website.

EFFECTIVE DATE: July 1, 2023

### *Definitions*

Existing law, unchanged by the act, defines two key terms as follows:

1. "Bilingual education" is a program that: (a) uses both English and an eligible student's native language for instruction; (b) enables the student to achieve English proficiency and subject matter mastery and higher order skills, including critical thinking, to meet appropriate grade promotion and graduation requirements; (c) provides for the continuous increase in the use of English and corresponding decrease in the use of the native language within each year and from year to year and provides for the use of English for more than half of the instructional time by the end of the first year; (d) may develop eligible students' native language skills; and (e) may include the participation of English-proficient students if the program is designed to enable all students to become more proficient in English and a second language (CGS § 10-17e(2)).
2. "English as a second language" is a program that uses only English as the instructional language for eligible students and enables them to achieve English proficiency and academic mastery of subject matter content and higher order skills, including critical thinking, to meet appropriate grade promotion and graduation requirements (CGS § 10-17e(3)). (The act refers to these programs as "English as a new language." Presumably, they are the same.)

### *Components of the Bill of Rights*

The act requires the bill of rights to include some components that are already law either by a court ruling, federal guidance interpreting federal law, or under state law. One component, translation services, is not explicitly guaranteed in any ruling

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or current law, but the federal government interprets certain federal laws to require it. Also, the explicit right to meet with school personnel to discuss the language development matters is not already in law (although the law does require a meeting for staff to explain the benefits of language programs; it is not a right for ongoing meetings (see table below)).

*Right to Translation Services*

During critical interactions with teachers and administrators, the act requires the bill of rights to include the right to have translation services provided (1) by an interpreter who is present in person or available by telephone or through an online technology platform or (2) through a website or other SBE-approved electronic application. These interactions must at least include (1) parent-teacher conferences, (2) meetings with school administrators attended by the student, and (3) properly noticed regular or special meetings of or with members of the school board responsible for the student’s education.

Guidance from the U.S. departments of Education and Justice states that schools must provide language translation or interpretation from appropriate and competent individuals whenever it is needed by a parent or guardian who has limited English proficiency. The school must communicate to the parent or guardian in a language they can understand. The federal guidance cites Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq.) and the Equal Educational Opportunities Act of 1974 (20 U.S.C. §§ 1701-1758) as the legal authority.

Under the act, school boards must provide the services guaranteed by the bill of rights, including the right for translation, to the parents without them requesting it for critical interactions such as parent-teacher conferences and meetings with school administrators attended by the student. However, for properly noticed special or regular meetings of the school board, the parent or guardian must request translation services at least one day in advance of the meeting.

*Other Rights.* The following table shows the remaining required components in each school board’s bill of rights and, if already required by law, which law is relevant.

**Minimum Components Required in Bill of Rights**

<b><i>Right of a Multilingual Learner (or Their Parent or Guardian)</i></b>	<b><i>Act Sub-Division (§)</i></b>	<b><i>Relevant Decision or Law</i></b>
<b>Enrollment</b> To enroll in school without being required to submit documentation of immigration or citizenship	17(a)(2)	Supreme Court, <i>Plyler v. Doe</i> provides same (see <i>Background — Plyler v. Doe, 457 U.S. 202 (1982)</i> )
<b>Attend School</b> To attend public school regardless of immigration status	17(a)(1)	Supreme Court, <i>Plyler v. Doe</i> provides same (see <i>Background — Plyler v. Doe, 457 U.S. 202 (1982)</i> )
<b>Bilingual Education</b> To participate in a bilingual education (or English as a new	17(a)(4) & (9)	For bilingual education, CGS § 10-17f provides same; the law requires boards to provide bilingual education

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<b><i>Right of a Multilingual Learner (or Their Parent or Guardian)</i></b>	<b><i>Act Sub-Division (§)</i></b>	<b><i>Relevant Decision or Law</i></b>
language) program offered by the school board when there are at least 20 eligible students classified as dominant in a language other than English		when there are at least 20 students in a school dominant in one language other than English
<b>Notice of Eligibility</b> To receive written notice, in both parents' dominant language and English, about student eligibility for bilingual education or English as a new language	17(a)(5)	State law requires school districts to hold a meeting with parents of an eligible student on the benefits of language programs (CGS § 10-17f(e)); state regulation requires any written communication with parents or guardian to be in their dominant language and English (Conn. Agencies Regs., § 10-17h-13)
<b>Orientation</b> To receive a school district-provided, high quality orientation session in the dominant language before starting a bilingual or English as a new language program; session must include information on state standards, tests, expectations, goals, and program requirements	17(a)(6)	State law requires a meeting with parents (as referenced above) to explain the benefits of the language programs; parent may bring an interpreter or advisor to the meeting (CGS § 10-17f(e))
<b>Student Progress</b> Of the parent or guardian to receive information about the progress of the student's English language development	17(a)(7)	Parents or guardians must be notified when the student attains English proficiency level sufficient to leave the program (Conn. Agencies Regs., § 10-17h-10)
<b>Meetings With Staff</b> Of an English learner student and the parent or guardian to meet with school personnel to discuss the student's language development	17(a)(8)	Not specifically addressed in law or regulation
<b>Equal Access School Programming</b> To have equal access to all grade-level school programming and core grade-level subject matter	17(a)(10) & (11)	Requires all public schools to give all age-eligible students an equal opportunity to participate in the activities, programs, and courses of study offered in the public schools without discrimination due to race, color, sex, gender identity or expression, religion, national origin, sexual orientation, or disability (CGS § 10-15c)  Federal guidance (similar to that mentioned above regarding

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<b>Right of a Multilingual Learner (or Their Parent or Guardian)</b>	<b>Act Sub-Division (§)</b>	<b>Relevant Decision or Law</b>
		translation services) indicates English learners must have equal access to grade-level curricula and equal access to all school programing
<b>Proficiency Testing</b> To receive annual language proficiency testing	17(a)(12)	English language proficiency testing must be done annually (Conn. Agencies Regs., § 10-17h-10)
<b>Intervention Support Services</b> To receive support services aligned with any intervention plan that the school or school district provides to all students	17(a)(13)	No specific requirement in state law or regulations, but may be captured in the broad equal opportunity law mentioned above (CGS § 10-15c); federal guidance says school boards must ensure English learners can participate equally in educational programs
<b>Continuous Enrollment</b> To be continuously and annually enrolled in a bilingual education or English as a new language program while the student remains an eligible student under state law	17(a)(14)	State law provides for 30 months of bilingual education, and the time may be extended an additional 30 months if the school board asks SDE for the extension or SDE determines it is necessary (CGS § 10-17f(d))
<b>Recourse for Failure to Provide Services</b> For a parent or guardian of an ML student to contact SDE with any questions or concerns about the student’s right to receive English learner services or accommodations available to the student or parent or guardian, including information on any recourse for the school board’s failure to provide or ensure the services or accommodations	17(a)(15)	Regulations allow a parent or guardian to request a review of any decision related to placing or not placing a student in a program; a parent may also ask for a hearing by the school board and, if the school board decision is not satisfactory to the parent, seek an appeal with the SBE; and, if the parents are aggrieved by the agency decision, they may appeal to Superior Court (Conn. Agencies Regs., § 10-17h-14)

*Background — Plyler v. Doe, 457 U.S. 202 (1982)*

Under this decision, the Supreme Court ruled that school districts cannot inquire about a potential student’s immigration status and cannot use this type of inquiry to refuse to enroll the student. The Court held that a Texas statute violated the Equal Protection Clause of the Fourteenth Amendment because it withheld state funds from local school districts for the education of children who were not “legally admitted” into the United States and authorized local school districts to deny enrollment to these children.

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### §§ 19-35 — CONFORMING CHANGES

*Makes conforming changes throughout various education statutes regarding multilingual learners*

The act makes conforming changes throughout various education statutes by changing “English learner” to “multilingual learner.” It also makes other conforming and technical changes.

EFFECTIVE DATE: July 1, 2023

### § 36 — REPEALER

*Repeals two obsolete sections related to English learners or bilingual education*

The act repeals two obsolete sections: one created an English language learner pilot program (CGS § 10-17n), and the other required regional education service centers to conduct a survey on English language learner services and bilingual education provided in their respective regions (CGS § 10-66t).

EFFECTIVE DATE: Upon passage