



House of Representatives

General Assembly

File No. 80

February Session, 2024

Substitute House Bill No. 5182

House of Representatives, March 21, 2024

The Committee on Education reported through REP. CURREY of the 11th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING THE LEGISLATIVE COMMISSIONERS' RECOMMENDATIONS FOR TECHNICAL REVISIONS TO THE EDUCATION AND EARLY CHILDHOOD STATUTES.

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

1 Section 1. Section 10-4a of the 2024 supplement to the general statutes
2 is repealed and the following is substituted in lieu thereof (*Effective from*
3 *passage*):

4 For purposes of sections 10-4, 10-4b and 10-220, and subdivision (1)
5 of subsection (b) of section 10-66dd, the educational interests of the state
6 shall include, but not be limited to, the concern of the state that (1) each
7 child shall have for the period prescribed in the general statutes equal
8 opportunity to receive a suitable program of educational experiences;
9 (2) each school district shall finance at a reasonable level and at least, as
10 appropriate, equal to the minimum budget requirement pursuant to the
11 provisions of section 10-262j, an educational program designed to
12 achieve this end; (3) in order to reduce racial, ethnic and economic
13 isolation, each school district shall provide educational opportunities

14 for its students to interact with students and teachers from other racial,
15 ethnic [] and economic backgrounds and may provide such
16 opportunities with students from other communities; and (4) the
17 mandates in the general statutes pertaining to education within the
18 jurisdiction of the State Board of Education be implemented.

19 Sec. 2. Subsection (b) of section 10-144d of the 2024 supplement to the
20 general statutes is repealed and the following is substituted in lieu
21 thereof (*Effective from passage*):

22 (b) There is established the Connecticut Advisory Council for Teacher
23 Professional Standards. The council shall be composed of nineteen
24 members as follows: (1) The Governor shall appoint one public member
25 who shall represent business and industry; the State Board of Education
26 shall appoint two members, both of whom shall be a member of the
27 faculty or administration of a State Board of Education approved
28 teacher preparation program; the president pro tempore of the Senate
29 shall appoint one member who shall be a school administrator
30 employed by a local or regional board of education; the speaker of the
31 House of Representatives shall appoint one member who shall be a
32 parent or guardian of a child attending a public elementary or
33 secondary school; the majority leader of the Senate shall appoint one
34 member who shall be a member of a local or regional board of
35 education; the majority leader of the House of Representatives shall
36 appoint one member who shall be a school superintendent; the minority
37 leader of the Senate shall appoint one member who shall be a parent of
38 a child attending a secondary school; the minority leader of the House
39 of Representatives shall appoint one member who shall be a
40 superintendent for a regional school district; the Connecticut Education
41 Association shall appoint four members who shall be classroom
42 teachers at the time of their appointment and during the term of their
43 membership on the council, two of whom shall be elementary school
44 teachers, one of whom shall be a special education teacher and one of
45 whom shall be a secondary school teacher; and the American Federation
46 of Teachers-Connecticut shall appoint four members who shall be
47 classroom teachers at the time of their appointment and during the term

48 of their membership on the council, two of whom shall be secondary
49 school [teacher] teachers, one of whom shall be an elementary school
50 teacher and one of whom shall be a special education teacher; and (2)
51 the Teacher of the Year for the prior year and the current Teacher of the
52 Year. All appointments shall be made and the names of the persons
53 appointed shall be submitted to the Commissioner of Education not
54 later than October 1, 1990.

55 Sec. 3. Subsection (d) of section 10-215m of the 2024 supplement to
56 the general statutes is repealed and the following is substituted in lieu
57 thereof (*Effective from passage*):

58 (d) Any locally sourced food or regionally sourced food for which an
59 eligible board of education seeks reimbursement payments under this
60 section [,] shall comply with the nutrition standards established by the
61 department pursuant to section 10-215e.

62 Sec. 4. Subsection (b) of section 10-264o of the 2024 supplement to the
63 general statutes is repealed and the following is substituted in lieu
64 thereof (*Effective from passage*):

65 (b) For the fiscal year ending June 30, 2013, and each fiscal year
66 thereafter, any tuition charged to a local or regional board of education
67 by a regional educational service center operating an interdistrict
68 magnet school assisting the state in meeting its obligations pursuant to
69 the decision in *Sheff v. O'Neill*, 238 Conn. 1 (1996), or any related
70 stipulation or order in effect, as determined by the Commissioner of
71 Education, for any student enrolled in kindergarten to grade twelve,
72 inclusive, in such interdistrict magnet school shall be in an amount equal
73 to the difference between (1) the average per pupil expenditure of the
74 magnet school for the prior fiscal year, and (2) the amount of any per
75 pupil state subsidy calculated under subsection (c) of section 10-264l,
76 plus any revenue from other sources calculated on a per pupil basis,
77 except for the fiscal year ending June 30, 2025, and each fiscal year
78 thereafter, the per student tuition charged to a local or regional board of
79 education shall not exceed fifty-eight per cent of the per student tuition
80 charged during the fiscal year ending June 30, 2024. If any such board

81 of education fails to pay such tuition, the commissioner may withhold
82 from such board's town or towns a sum payable under section 10-262i
83 in an amount not to exceed the amount of the unpaid tuition to the
84 magnet school and pay such money to the fiscal agent for the magnet
85 school as a supplementary grant for the operation of the interdistrict
86 magnet school program. In no case shall the sum of such tuitions exceed
87 the difference between (A) the total expenditures of the magnet school
88 for the prior fiscal year, and (B) the total per pupil state subsidy
89 calculated under subsection (c) of section 10-264l, plus any revenue from
90 other sources. The commissioner may conduct a comprehensive review
91 of the operating budget of a magnet school to verify such tuition rate.

92 Sec. 5. Subsection (a) of section 3-123l of the 2024 supplement to the
93 general statutes is repealed and the following is substituted in lieu
94 thereof (*Effective from passage*):

95 (a) As used in this section:

96 (1) "Actuarial value" means the level of coverage provided by a health
97 benefit plan as a percentage of the full actuarial value of the benefits
98 provided under such plan;

99 (2) "Eligible paraeducator" means a paraeducator who (A) is
100 employed by a local or regional board of education, (B) is ineligible for
101 (i) the Covered Connecticut program, established under section 19a-
102 754c, or (ii) Medicaid, and (C) does not have access to coverage under a
103 health benefit plan that is available [(i) through the employer of]
104 through an employer of (i) such paraeducator's spouse and has an
105 actuarial value of at least seventy-five per cent, or (ii) [available through
106 an employer of] such paraeducator and has an actuarial value that is
107 equivalent to the actuarial value of a qualified health plan that is offered
108 through the Connecticut Health Insurance Exchange at a silver level of
109 coverage through any employer;

110 (3) "Health benefit plan" has the same meaning as provided in section
111 38a-1080;

112 (4) "Qualified health plan" has the same meaning as provided in
113 section 38a-1080; and

114 (5) "Silver level of coverage" has the same meaning as provided in 42
115 USC 18022(d), as amended from time to time.

116 Sec. 6. Section 10-74v of the 2024 supplement to the general statutes
117 is repealed and the following is substituted in lieu thereof (*Effective from*
118 *passage*):

119 Not later than January 1, 2024, the Department of Education shall
120 develop an informational handout for students that explains what it
121 means for a student to have an individualized education program or a
122 plan pursuant to Section 504 of the Rehabilitation Act of 1973, as
123 amended from time to time, including what rights such student is
124 entitled to in the classroom under such program or plan. Such handout
125 shall (1) be age-appropriate, (2) be prepared separately for students in
126 grades (A) kindergarten to four, inclusive, (B) five to eight, inclusive,
127 and (C) nine to twelve, inclusive, (3) be translated into multiple
128 languages, including English, Spanish, Portuguese, French and Polish,
129 and (4) include a glossary of the most common tools used in the
130 implementation of such program or plan. The department shall make
131 such handout available to local and regional boards of education and
132 post such handout [available] on the department's Internet web site.

133 Sec. 7. Subparagraph (A) of subdivision (9) of subsection (a) of section
134 10-76d of the 2024 supplement to the general statutes is repealed and the
135 following is substituted in lieu thereof (*Effective from passage*):

136 (9) (A) The planning and placement team shall, in accordance with
137 the provisions of the Individuals [With] with Disabilities Education Act,
138 20 USC 1400, et seq., as amended from time to time, develop and include
139 a statement of transition service needs in the individualized education
140 program for each child requiring special education, beginning not later
141 than the first individualized education program to be in effect when
142 such child becomes fourteen years of age, or younger if the planning
143 and placement team determines it is appropriate. Such individualized

144 education program shall include (i) appropriate measurable
145 postsecondary goals based upon age-appropriate transition
146 assessments related to training, education, employment and, where
147 appropriate, independent living skills; and (ii) the transition services,
148 including courses of study, needed to assist such child in reaching those
149 goals. Such individualized education program shall be updated
150 annually thereafter in accordance with the provisions of this
151 subdivision. Nothing in this subdivision shall be construed as requiring
152 the Department of Aging and Disability Services to lower the age of
153 transitional services for a child with disabilities from sixteen to fourteen
154 years of age.

155 Sec. 8. Subparagraph (D) of subdivision (10) of subsection (a) of
156 section 10-76d of the 2024 supplement to the general statutes is repealed
157 and the following is substituted in lieu thereof (*Effective from passage*):

158 (D) Immediately upon the formal identification of any child as a child
159 requiring special education and at each planning and placement team
160 meeting for such child, the responsible local or regional board of
161 education shall inform the parent or guardian of such child or surrogate
162 parent or, in the case of a pupil who is an emancipated minor or eighteen
163 years of age or older, the pupil of (i) the laws relating to special
164 education, (ii) the rights of such parent, guardian, surrogate parent or
165 pupil under such laws and the regulations adopted by the State Board
166 of Education relating to special education, including the right of a
167 parent, guardian or surrogate parent to (I) withhold from enrolling such
168 child in kindergarten, in accordance with the provisions of section 10-
169 184, (II) have advisors and the school paraprofessional assigned to such
170 child or pupil attend and participate in all portions of such meeting at
171 which an educational program for such child or pupil is developed,
172 reviewed or revised, in accordance with the provisions of subparagraph
173 (C) of this subdivision, (III) obtain the plain language resources
174 available on the Department of Education's Internet web site pursuant
175 to subsection (g) of section 10-76h explaining the hearing and appeals
176 process, as provided in section 10-76h, available to such child or pupil if
177 there is a disagreement about the individualized education program,

178 identification, evaluation or educational placement of or the provision
179 of a free appropriate public education to such child or pupil, and (IV)
180 receive information regarding free and low-cost legal assistance, and
181 (iii) any relevant information and resources relating to individualized
182 education programs created by the Department of Education, including,
183 but not limited to, information relating to transition resources and
184 services for high school students and the Parent's Guide to Special
185 Education in Connecticut developed by the department. If such parent,
186 guardian, surrogate parent or pupil does not attend a planning and
187 placement team meeting, the responsible local or regional board of
188 education shall mail such information to such person. Each responsible
189 local or regional board of education shall provide a child or pupil's
190 individualized education program, any documents relating to such
191 program and all the information required pursuant to this
192 subparagraph translated into the primary language spoken by such
193 parent, guardian, surrogate parent or pupil if there is an apparent need
194 or upon the request of the parent, guardian, surrogate parent or pupil.

195 Sec. 9. Subsection (b) of section 10-76ll of the 2024 supplement to the
196 general statutes is repealed and the following is substituted in lieu
197 thereof (*Effective from passage*):

198 (b) On or before July 1, 2015, the State Board of Education shall draft
199 a written bill of rights for parents of children receiving special education
200 services to guarantee that the rights of such parents and children are
201 adequately safeguarded and protected during the provision of special
202 education and related services until such children have graduated from
203 high school or at the end of the school year during which such children
204 [reaches] reach age twenty-two, whichever occurs first, under this
205 chapter. Such bill of rights shall inform parents of: (1) The right to
206 request consideration of the provision of transition services for a child
207 receiving special education services who is eighteen years of age until
208 such child has graduated from high school or at the end of the school
209 year during which such child reaches age twenty-two, whichever occurs
210 first, (2) the right to receive transition resources and materials from the
211 department and the local or regional board of education responsible for

212 such child, (3) the requirement that the local or regional board of
213 education responsible for such child shall create a student success plan
214 for each student enrolled in a public school, beginning in grade six,
215 pursuant to subsection (l) of section 10-221a, and (4) the right of such
216 child to receive realistic and specific postgraduation goals as part of
217 such child's individualized education program.

218 Sec. 10. Subdivision (10) of section 10-222aa of the 2024 supplement
219 to the general statutes is repealed and the following is substituted in lieu
220 thereof (*Effective from passage*):

221 (10) "School climate improvement plan" means a building-specific
222 plan developed by the school climate committee, in collaboration with
223 the school climate specialist, using school climate survey data and any
224 other relevant information, through a process that engages all members
225 of the school community and involves such members in a series of
226 overlapping systemic improvements, school-wide instructional
227 practices and relational practices that prevent, identify and respond to
228 challenging behavior, including, but not limited to, alleged bullying and
229 harassment in the school environment.

230 Sec. 11. Section 10-222dd of the 2024 supplement to the general
231 statutes is repealed and the following is substituted in lieu thereof
232 (*Effective from passage*):

233 For the school year commencing July 1, 2025, and each school year
234 thereafter, the superintendent of schools for each school district, or an
235 administrator appointed by the superintendent, shall serve as the school
236 climate coordinator for the school district. The school climate
237 coordinator shall be responsible for (1) providing district-level
238 leadership and support for the implementation of the school climate
239 improvement plan for each school, developed pursuant to section 10-
240 222hh, as amended by this act, (2) collaborating with the school climate
241 specialist, as described in section 10-222ee, for each school to (A)
242 develop a continuum of strategies to prevent, identify and respond to
243 challenging behavior, including, but not limited to, alleged bullying and
244 harassment in the school environment, and (B) communicate such

245 strategies to the school community, including, but not limited to,
246 through publication in the district student handbook, (3) collecting and
247 maintaining data regarding school climate improvement, including, but
248 not limited to, school discipline records, school climate assessments,
249 attendance rates, social and emotional learning assessments, academic
250 growth data, types of bullying complaints submitted by members of the
251 school community, types of challenging behavior addressed using the
252 restorative practices response policy, adopted pursuant to section 10-
253 222jj, as amended by this act, and data concerning the implementation
254 of restorative practices, and (4) meeting with the school climate
255 specialist for each school at least twice during the school year to (A)
256 identify strategies to improve school climate, including, but not limited
257 to, by responding to challenging behavior and implementing evidence
258 and research-based interventions, such as restorative practices, (B)
259 propose recommendations for revisions to the school climate
260 improvement plan, and (C) assist with the completion of the school
261 climate survey.

262 Sec. 12. Subdivision (9) of subsection (b) of section 10-222hh of the
263 2024 supplement to the general statutes is repealed and the following is
264 substituted in lieu thereof (*Effective from passage*):

265 (9) For incidents of challenging behavior, as described in subdivision
266 (6) of this subsection, (A) a requirement for a meeting between an
267 administrator and the school employee who [witness] witnesses such
268 incident, not later than two days after the date such incident occurred,
269 to determine the supports and interventions required to address the
270 needs of students and school employees, provided the supports and
271 interventions for any student who receives special education shall be
272 determined by the planning and placement team for such student and
273 notice of such incident shall be submitted to the planning and placement
274 team not later than two days after the date such incident occurred, and
275 (B) a process by which a teacher may request a behavior intervention
276 meeting pursuant to section 10-236c.

277 Sec. 13. Section 10-222jj of the 2024 supplement to the general statutes

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

280 For the school year commencing July 1, 2025, and each school year
281 thereafter, each local and regional board of education shall adopt a
282 restorative practices response policy to be implemented by school
283 employees for incidents of challenging behavior or student conflict that
284 is nonviolent and does not constitute a crime. Such policy shall not
285 include the involvement of a school resource [office] officer or other law
286 enforcement official, unless such challenging behavior or conflict
287 escalates to violence or constitutes a crime.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	10-4a
Sec. 2	<i>from passage</i>	10-144d(b)
Sec. 3	<i>from passage</i>	10-215m(d)
Sec. 4	<i>from passage</i>	10-264o(b)
Sec. 5	<i>from passage</i>	3-123l(a)
Sec. 6	<i>from passage</i>	10-74v
Sec. 7	<i>from passage</i>	10-76d(a)(9)(A)
Sec. 8	<i>from passage</i>	10-76d(a)(10)(D)
Sec. 9	<i>from passage</i>	10-76ll(b)
Sec. 10	<i>from passage</i>	10-222aa(10)
Sec. 11	<i>from passage</i>	10-222dd
Sec. 12	<i>from passage</i>	10-222hh(b)(9)
Sec. 13	<i>from passage</i>	10-222jj

Statement of Legislative Commissioners:

In Sections 5 to 13, inclusive, the effective date was changed to "Effective from passage" for consistency.

ED Joint Favorable Subst.

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

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill has no fiscal impact. It makes a variety of minor technical changes to statutes pertaining to education and early childhood.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis

sHB 5182

AN ACT CONCERNING THE LEGISLATIVE COMMISSIONERS' RECOMMENDATIONS FOR TECHNICAL REVISIONS TO THE EDUCATION AND EARLY CHILDHOOD STATUTES.

SUMMARY

This bill makes technical revisions to the education statutes.

EFFECTIVE DATE: Upon passage for sections 1-4 and July 1, 2024, for sections 5-13.

COMMITTEE ACTION

Education Committee

Joint Favorable Substitute

Yea 45 Nay 0 (03/06/2024)