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## **OLR Bill Analysis**

### **sHB 5416**

#### ***AN ACT CONCERNING VARIOUS REVISIONS TO THE EDUCATION STATUTES.***

#### **SUMMARY**

This bill makes various changes to the education statutes. The bill:

1. allows Goodwin University magnet school teachers to be considered continuously employed for tenure and sick leave purposes when they are hired by Goodwin from another board of education;
2. specifies that the training for nonmedical staff to administer emergency epinephrine must apply to students who do not have a prior written allergy treatment order from a medical professional and written permission from their parent or guardian;
3. bans a school board from requiring a student's parent or guardian to participate in school activities, such as volunteering, as a condition for the student to enroll in one of the board's schools;
4. requires each regional community-technical college to consult with the public high school counselors and administrators within the college's region to establish collaborative partnerships;
5. authorizes unlicensed child care providers to administer epinephrine for emergency first aid to a child in their care who experiences an allergic reaction and does not have a prior written parent or guardian authorization or a prior written qualified medical professional order;
6. requires that by December 31, 2024, and each following

December 31, the State Department of Education (SDE) calculate the estimated education cost sharing (ECS) grant that each town is entitled to receive for the next fiscal year;

7. requires school boards to notify a parent or guardian of a student who is placed in physical restraint or seclusion on the day the student was physically restrained or secluded; and
8. requires a school principal or other administrator to notify a parent or guardian of a student whose behavior has caused (a) a serious disruption to the instruction of other students, (b) self-harm, or (c) physical harm to another student or a teacher, or other school employee on the same day the behavior occurs.

EFFECTIVE DATE: July 1, 2024, except the section requiring SDE to calculate ECS grant estimates is effective upon passage.

#### **§ 1 — CONTINUOUS EMPLOYMENT AND TEACHER TENURE**

The bill permits teachers employed by Goodwin University Magnet Schools, Inc. or Goodwin University Educational Services, Inc. to be considered continuously employed when they previously worked for a local or regional board of education during the school year immediately prior to employment with Goodwin. It applies to teacher tenure and paid sick leave accumulation and accrual from year to year. By treating the employment as continuous, a teacher does not lose tenure rights or accumulated sick leave earned before gaining employment with Goodwin.

Goodwin University Educational Services, Inc. (GUES) and Goodwin University Magnet Schools, Inc. (GUMS) currently operate two magnet schools adjacent to Goodwin University in East Hartford. GUES is the parent organization and GUMS has the day to day responsibility to run the magnet schools.

By law, a similar provision exists for teachers who are either being hired by a newly formed regional school district or are no longer employed by a regional district due to its dissolution.

**§ 2 — TRAINING FOR EMERGENCY ALLERGIC REACTIONS OF STUDENTS**

Under current law, public schools are required to designate and train nonmedical staff to administer emergency epinephrine in cartridge injectors (“epipens”) to students having allergic reactions who were not previously known to have serious allergies. It authorizes emergency use of epipens by nonmedical staff only if the school nurse is not available and certain conditions are met, including training of the designated staff.

A related law requires SDE to annually make training available for the emergency epinephrine administration and related first aid including (1) cardiopulmonary resuscitation, (2) food allergies, and (3) the signs and symptoms of anaphylaxis. The bill specifies the training for this must specifically apply to students who do not have a prior written allergy treatment order from a medical professional and written permission from their parent or guardian. The prior written order must be from a licensed physician, dentist, optometrist, advanced practice registered nurse, or physician’s assistant.

**§ 3 — BANS REQUIRING A PARENT TO PARTICIPATE IN SCHOOL ACTIVITIES AS A CONDITION OF THE CHILD’S ENROLLMENT**

The bill bans a local or regional board of education from requiring a student’s parent or guardian to participate in school activities, such as volunteering, as a condition for the student to enroll in one of the board’s schools. Current law does not authorize such a requirement and the state constitution requires the state to provide free public school education (see BACKGROUND).

**§ 4 — PARTNERSHIPS BETWEEN HIGH SCHOOLS AND COMMUNITY-TECHNICAL COLLEGES**

The bill requires each regional community-technical college to consult with the public high school counselors and administrators within the college’s region to establish collaborative partnerships between the schools and the college. The partnerships may include collaborative counseling programs for (1) students interested in specific careers, (2) evaluation and alignment of curricula, and (3) offering

support or programs to improve student outcomes.

## **§ 5 — EXEMPT CHILD CARE PROVIDERS AND EMERGENCY EPINEPHRINE ADMINISTRATION**

By law, Office of Early Childhood (OEC)-licensed child care providers are authorized to administer epinephrine for emergency first aid to a child in their care who experiences an allergic reaction and does not have a prior written parent or guardian authorization or prior written qualified medical professional order for the provider to administer epinephrine. The bill broadens this authorization to include child care providers that are exempt from licensing. Under the law and the bill, the person administering epinephrine must be trained according to statutory requirements.

The child care service providers exempt from OEC licensure include public school systems, municipalities, nationally chartered boys' and girls' clubs that for school-age children, and a number of organizations or arrangements specified in statute.

## **§ 6 — ECS GRANT ESTIMATES FOR TOWNS**

The bill requires that by December 31, 2024, and each following December 31, SDE calculate the estimated education cost sharing (ECS) grant that each town is entitled to receive for the next fiscal year using data collected during the current fiscal year. The department must notify each town of the estimated amount.

## **§ 7 — PARENTAL NOTIFICATION OF RESTRAINT AND SECLUSION**

The bill requires school boards to notify a parent or guardian of a student who is placed in physical restraint or seclusion on the day the student was physically restrained or secluded. Under current law the notice must take place within 24 hours, which can mean notice is the following day, and the school must make a reasonable effort to provide the notification immediately after the restraint or seclusion starts.

The bill also requires the notice be provided by electronic means, including email or mobile phone, if possible.

By law, school employees are prohibited from using physical

restraint or seclusion on a student except in an emergency to prevent immediate or imminent injury to the student or to others. The restraint or seclusion cannot be used for discipline or in place of a less severe or restrictive alternative.

## **§ 8 — PARENTAL NOTIFICATION OF STUDENT BEHAVIOR CAUSING DISRUPTION OR HARM AND BEHAVIOR INTERVENTION MEETING**

The bill creates two new parental notifications related to student behavior.

The bill requires a school principal or other administrator to notify a parent or guardian of a student whose behavior has caused (1) a serious disruption to the instruction of other students, (2) self-harm, or (3) physical harm to another student or a teacher or other school employee on the same day the behavior occurs. The notice must inform the parent or guardian that the teacher in the classroom where the behavior occurred may request a behavior intervention meeting with the school's crisis intervention team as permitted by law.

In these cases, existing law allows a teacher to request a behavioral intervention meeting with a crisis intervention team that includes certain school employees designated by the principal. The bill requires the crisis intervention team, after it receives the teacher's request, to notify the student's parents or guardians of the teacher's request before holding the meeting.

The bill requires the crisis intervention team to submit a summary of the meeting, including any resources and supports identified, to the student's parents or guardian by seven days after the meeting. By law, the meeting participants must identify resources and supports to address the student's social, emotional, and instructional needs.

## **BACKGROUND**

### ***Related Bill***

sHB 5212 (§ 2), favorably reported by the Appropriations and Education committees, also requires SDE to calculate ECS grant estimates for each town.

***Constitutional Right to Free Public Education***

The Connecticut State Constitution, Article Eighth, Section 1, states:

“There shall always be free public elementary and secondary schools in the state. The general assembly shall implement this principle by appropriate legislation.”

**COMMITTEE ACTION**

Education Committee

Joint Favorable Substitute Change of Reference - APP  
Yea 44 Nay 0 (03/18/2024)

Appropriations Committee

Joint Favorable Substitute  
Yea 52 Nay 0 (04/04/2024)