
OLR Bill Analysis

SB 154 (File 51, as amended by Senate “A”)*

AN ACT CONCERNING SCHOOLS.

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SUMMARY

This bill makes numerous, unrelated changes to education law. A section-by-section analysis follows.

EFFECTIVE DATE: Various; see below.

*Senate Amendment "A" strikes the underlying bill and replaces it

with the provisions that:

1. require a comprehensive audit of public school student assessments (i.e., tests);
2. require projected Open Choice grants be included in the receiving school board's annual budget;
3. suspend enforcement of the state's school racial imbalance law until July 1, 2025;
4. require certain paraprofessionals to annually complete training in emergency epinephrine administration;
5. ban school boards from requiring parent participation at school as a condition of student enrollment;
6. require regional community-technical colleges to establish collaborative counseling partnerships with school districts;
7. allow child care providers that are exempt from licensing to administer epinephrine for emergency first aid to a child with an allergic reaction;
8. require, by December 31 of each year, the State Department of Education (SDE) to provide all towns with their education cost sharing (ECS) grant amount estimate for the following fiscal year;
9. create two new parental notifications related to student behavior;
10. require that the five day notice period for an expulsion hearing not include the day of the hearing in the five days;
11. add new members to the Civics and Media Literacy Task Force and the Special Education Task Force;
12. require that excess cost grant calculations for school boards include all expenditures incurred by the board under a contract with a private provider of special education services during the school year in which the services are provided, even for newly

approved providers;

13. require school boards to conform the design of any school playground designed on or after July 1, 2025, to the principles of universal design;
14. require that Reading Leadership Implementation Council members' initial terms expire on June 30, 2024, and that subsequent appointments be made by July 1, 2024; and
15. make minor changes to audit data deadlines and school nurse orientation.

§§ 1 & 20 — PUBLIC SCHOOL ASSESSMENT AUDIT

Requires SDE to conduct an audit of public school student assessments and report on the audit to the Education Committee by January 31, 2026; repeals a similar provision in existing law

This bill requires SDE to conduct a comprehensive audit of the assessments (i.e., tests) public school students must take. The audit must be done in consultation with national assessment experts and local and regional boards of education ("school boards").

Under the bill, the audit must include:

1. issuing guidance to school boards to conduct an inventory of student assessments administered at the classroom, school, and school district levels;
2. developing a teacher professional learning program for assessment literacy; and
3. evaluating the assessments inventoried with the goals of (a) eliminating redundant assessments, (b) discouraging classroom activities that focus only on test preparation, and (c) reducing testing time and maximizing assessments that provide actionable information for classroom teachers.

By January 31, 2026, SDE must submit a report on the audit and related activities and any legislative proposals addressing the audit's

goals to the Education Committee.

The bill also repeals an existing law that requires the education commissioner, by January 1, 2025, to audit state and local testing requirements and administration and to submit a report on the audit to the Appropriations and Education committees by this date.

EFFECTIVE DATE: July 1, 2024

§ 2 — OPEN CHOICE GRANT

Requires each Open Choice Program receiving school district to include its projected Open Choice grant amount in the board's annual budget and projected revenue statement

Beginning with FY 25, the bill requires each school board that receives students under the Open Choice Program to include the projected Open Choice grant amount in the board's annual budget and projected revenue statement.

The Open Choice program is an interdistrict enrollment program that allows students in urban centers to attend school in suburban districts and vice versa. Receiving school districts get a per-student state grant that ranges from \$3,000 to \$8,000 depending on the number of Open Choice students the district receives as a percentage of its total enrollment.

For example, a district receives \$3,000 per student if Open Choice students are less than 2% of its student population. The grant amount increases incrementally until, at the highest amount, a district receives \$8,000 per student if Open Choice students are at least 4% of the student population.

EFFECTIVE DATE: July 1, 2024

§§ 3-5 — RACIAL IMBALANCE LAW

Suspends enforcement of the state's school racial imbalance law until July 1, 2025

The racial imbalance law requires the State Board of Education (SBE), when it finds a racial imbalance at a public school, to give written notification to the school's board of education. This in turn requires the notified school board to prepare a plan to correct the imbalance and

submit it to SBE for approval.

The bill prevents SBE from notifying a school board of a racial imbalance at one of its schools until July 1, 2025. Further, until July 1, 2025, it removes the requirement that a board notified of an imbalance prepare and file a correction plan, and it prevents the SBE from taking any action on any plan received on or after July 1, 2024, until July 1, 2025.

By law a “racial imbalance” is a proportion of minority students enrolled in all grades in a public school that substantially exceeds, or substantially falls short of, the proportion of minority students in the same grades in all the district’s public schools (CGS § 10-226b) (see BACKGROUND).

EFFECTIVE DATE: July 1, 2024

§ 6 — EPINEPHRINE TRAINING

Requires certain paraprofessionals to annually complete training in emergency epinephrine administration

By law, a school paraprofessional assigned to a specific student can be approved to administer emergency epinephrine in cartridge injectors (“epipens”) to the student with approval of the school nurse and the school medical advisor along with written parental approval and an order from a medical professional. The bill requires the paraprofessional and any qualified school employee authorized to administer epinephrine to annually complete training in emergency epinephrine administration and related first aid that SDE is already required to provide.

By law, a “qualified school employee” means a principal, teacher, licensed athletic trainer, licensed physical or occupational therapist employed by a school district, coach, or school paraprofessional.

It also changes the term “school paraprofessional” to “paraeducator.”

EFFECTIVE DATE: July 1, 2024

§ 7 — BANS REQUIRING A PARENT TO PARTICIPATE IN SCHOOL ACTIVITIES AS A CONDITION OF THE STUDENT’S ENROLLMENT

Bans school boards from requiring parent participation at school as a condition of student 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).

EFFECTIVE DATE: July 1, 2024

§ 8 — PARTNERSHIPS BETWEEN HIGH SCHOOLS AND COMMUNITY-TECHNICAL COLLEGES

Requires regional community-technical colleges to establish collaborative counseling partnerships with school districts for careers, curricula alignment and evaluation, and student outcome support

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.

EFFECTIVE DATE: July 1, 2024

§ 9 — EXEMPT CHILD CARE PROVIDERS AND EMERGENCY EPINEPHRINE ADMINISTRATION

Allows child care providers that are exempt from licensing to administer epinephrine for emergency first aid to a child with an allergic reaction who does not have a prior written parent approval

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 for school-age children, and a number of other organizations or arrangements specified in statute.

EFFECTIVE DATE: July 1, 2024

§ 10 — ECS GRANT ESTIMATES FOR TOWNS

Requires, by December 31 of each year, SDE to provide all towns with their ECS grant amount estimate for the following fiscal year

The bill requires that by December 31 of each year, SDE calculate the estimated 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.

EFFECTIVE DATE: Upon passage

§ 11 — PARENTAL NOTIFICATION OF STUDENT BEHAVIOR CAUSING DISRUPTION OR HARM AND BEHAVIOR INTERVENTION MEETING

Creates two new parental notifications related to student behavior

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 school instruction, (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 guardians 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.

EFFECTIVE DATE: July 1, 2024

§ 12 — EXPULSION HEARING NOTICE

Requires that the five day notice period for an expulsion hearing not include the day of the hearing in the five days

By law, a student cannot be expelled without a hearing unless an emergency exists and notice of the hearing must be given to the student’s parents or guardian at least five business days before it takes place. The bill specifies that the five days must not include the day of the hearing.

EFFECTIVE DATE: July 1, 2024

§ 13 — CIVICS AND MEDIA LITERACY TASK FORCE

Adds two student members to the task force, one from a Connecticut high school and one from a Connecticut higher education institution

PA 23-150, § 6, established the 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 bill increases the task force’s size from 23 members to 25 by adding the following two student members:

1. a student at a higher education institution in Connecticut, appointed jointly by the Education Committee’s House chairperson and ranking member, and
2. a student at a high school in Connecticut, appointed jointly by

the Education Committee's Senate chairperson and ranking member.

Under existing law, the task force must submit a report on its findings and recommendations to the Education Committee by January 1, 2025.

EFFECTIVE DATE: Upon passage

§ 14 — SPECIAL EDUCATION TASK FORCE

Adds a representative of the Connecticut Council of Administrators of Special Education to the task force; requires that this appointee serve as the task force's third chairperson

Existing law establishes a task force to study the provision and funding of special education during the 2016-17 through 2020-21 school years. The bill increases the task force's size from 23 members to 24 by adding a representative of the Connecticut Council of Administrators of Special Education, designated by the council. It also makes this representative the task force's third chairperson. (Under existing law, the House speaker and Senate president pro tempore select cochairpersons.)

Under existing law, the task force must submit its final report to the Education Committee by January 1, 2025.

EFFECTIVE DATE: Upon passage

§ 15 — ORIENTATION FOR SCHOOL NURSES

Requires that professional development programs or activities for new school nurses or nurse practitioners include an orientation to school health services

Beginning with the 2024-25 school year, existing law requires school boards to annually approve and provide professional development programs or activities for each school nurse or nurse practitioner appointed by, or under contract with, the board. The bill requires that the programs or activities also include an orientation to school health services for new school nurses or nurse practitioners. The orientation must be (1) developed by an association representing school nurses in the state and (2) completed within six months after the nurse or nurse practitioner is appointed by, or enters a contract with, the board.

EFFECTIVE DATE: July 1, 2024

§ 16 — DEADLINE FOR SUBMITTING AUDIT DATA REVISIONS TO SDE

Delays, from December 31 to January 31, the date by which (1) school boards must submit to SDE revisions to their returns of receipts, expenditures, and statistics and (2) an independent public accountant must certify the returns

By law, school superintendents must report returns of the school district’s receipts, expenditures, and statistics to the education commissioner by September 1 of each year. The bill delays, from December 31 to January 31, the date by which (1) school boards must submit to SDE revisions to their returns of receipts, expenditures, and statistics and (2) an independent public accountant must certify the returns.

It correspondingly delays, from February 15 to March 15, the date by which SDE must annually publish on its website the data in the reports and returns (1) by education program type, expense function, expense object, and funding source and (2) in a format that allows financial comparisons between school districts and schools.

EFFECTIVE DATE: July 1, 2024

§ 17 — EXCESS COST GRANT CALCULATIONS

Requires that excess cost grant calculations for school boards include all expenditures incurred by the board under a contract with a private provider of special education services during the school year in which the services are provided

The law allows school boards to apply to the state for a special education “excess cost grant,” which reimburses them for the cost of special education services that exceed four-and-a-half times the average cost of educating a student in the district during the prior fiscal year.

The bill requires that excess cost grant calculations for school boards include all expenditures incurred by the board under a contract with a private provider of special education services, private school, agency, or institution during the school year in which the services are provided. The requirement applies even if the private provider, private school, agency, or institution is approved by SDE during the school year in which a board of education is seeking reimbursement for the incurred expenditures.

EFFECTIVE DATE: July 1, 2024

§ 18 — SCHOOL PLAYGROUND DESIGN

Requires school boards to conform the design of any school playground designed on or after July 1, 2025, to the principles of universal design

The bill requires school boards to conform the design of any school playground designed on or after July 1, 2025, to the principles of universal design. At a minimum, the playgrounds must include the following:

1. play spaces that appeal to a variety of senses and allow multiple forms of play,
2. landform designed to encourage unstructured play,
3. multiple options for accessing play spaces and equipment that allow for varying levels of ability, and
4. sensory-engaging materials and use of trees and other plantings.

Under the bill, “universal design” means a concept of designing spaces with the goal of maximizing usability and access without needing adaptation or specialized design.

EFFECTIVE DATE: July 1, 2024

§ 19 — READING LEADERSHIP IMPLEMENTATION COUNCIL

Requires that members’ initial terms expire on June 30, 2024, and that subsequent appointments be made by July 1, 2024

The bill requires that the Reading Leadership Implementation Council members’ initial terms expire on June 30, 2024, and that subsequent appointments be made by July 1, 2024. Under the bill, the newly appointed members serve two-year terms and may serve consecutive terms.

By law, the council must develop and publish annual goals for the Center for Literacy Research and Reading Success, which is within SDE. The council consists of 13 members: six legislative appointees, four executive branch appointees, and three ex-officio members.

EFFECTIVE DATE: Upon passage

BACKGROUND

Related Bill

sHB 5212 (File 598), § 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.”

Racial Imbalance Defined

State regulations define “racially imbalanced” as any school in which the percentage of minority students enrolled falls outside the range of 25 percentage points more or less than the district-wide percentage (Conn. Agencies Regs., § 10-226e-3(b)). (For example, in a school district that has an overall minority enrollment of 50%, any individual school that has less than 25% or more than 75% minority enrollment in comparable grades across the district would be considered racially imbalanced.)

COMMITTEE ACTION

Education Committee

Joint Favorable

Yea 30 Nay 14 (03/06/2024)