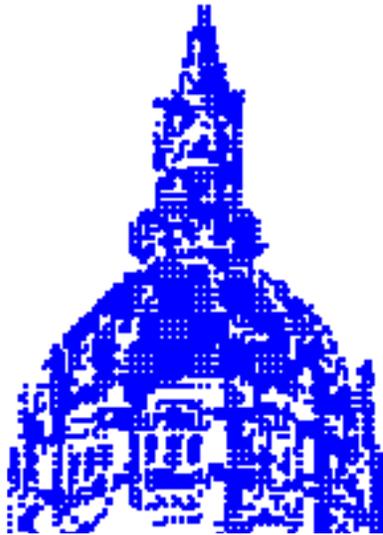


Office of Legislative Research  
Connecticut General Assembly



**OLR ACTS AFFECTING**

**EDUCATION**



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## **NOTICE TO READERS**

This report provides highlights of new laws affecting education enacted during the 2007 regular and special legislative sessions. Not all provisions of the acts are included here. Complete summaries of all 2007 public acts passed will be available when OLR's Public Act Summary book is published; most are already available on OLR's webpage: <http://www.cga.ct.gov/olr/OLRPASums.asp>.

Readers are encouraged to obtain the full text of acts that interest them from the Connecticut State Library, the House Clerk's Office, or the General Assembly's website: <http://www.cga.ct.gov>.

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## **ACCOUNTABILITY**

### ***Schools and Districts In Need of Improvement***

**PA 07-3, June Special Session** requires schools and districts that require corrective action under the federal No Child Left Behind Act (NCLB) to be subjected to intensified supervision and direction by the State Board of Education (SBE). It specifies the actions the SBE must take pursuant to this new authority. A school district or elementary school that fails to make adequate yearly progress (AYP) for two successive years must be evaluated by the education commissioner. Under certain conditions, the commissioner may require the school or district to institute certain educational programs and may ask the legislature to allow another entity to control the district. The act also proposes a school improvement model school boards can adopt. (Effective July 1, 2007)

### ***School Readiness Programs***

**PA 07-3, June Special Session** requires the Early Childhood Education Cabinet to begin, by July 1, 2008, the statewide longitudinal evaluation of the school readiness program that it is required to conduct. It specifically requires the study to examine the educational progress of children from pre-kindergarten

to grade three. It extends from January 1, 2000 to January 1, 2008, the date by which the commissioner must adopt assessment measures school readiness programs must use when conducting annual evaluations. And it requires the cabinet to develop and implement an accountability plan for early childhood education services annually beginning by December 1, 2008. State-funded early childhood education providers must use the program measures developed under the accountability plan to evaluate and report on the effectiveness of their services.

Finally, it requires the cabinet to (1) develop minimum standards and a range of higher quality standards for all state-funded early care and education programs and (2) in consultation with the Office of Workforce Competitiveness, develop a quality workforce development plan for school readiness. (Effective July 1, 2007)

### ***Kindergarten Assessment***

**PA 07-3, June Special Session** moves up, from October 1, 2009 to October 1, 2007, the date by which the education commissioner must, within available appropriations, develop and implement a state-wide developmentally appropriate kindergarten assessment tool. It specifies that the tool must not be used as a measurement tool

for school readiness program accountability. (Effective July 1, 2007)

### ***Early Reading Success Program***

**PA 07-3, June Special Session** requires SDE to develop efficacy measures for early reading intervention programs used by Early Reading Success grant recipients and make a list of effective programs available to grant recipients. It must provide the measures and the list to the governor and the legislature by January 1, 2008. Beginning with FY 08, SDE must annually use the measures to determine the efficacy of the programs used by each grant recipient. If SDE determines that a grant recipient is using an ineffective program, it must require the recipient to use a program from the SDE list. (Effective July 1, 2007)

### ***Magnet School Financial Audits***

**PA 07-3, June Special Session** requires RESC-operated interdistrict magnet schools to file a financial audit with the education commissioner annually in the form he prescribes.

The act also requires the commissioner to randomly select one RESC-operated interdistrict magnet school every year for a comprehensive financial audit conducted by an auditor selected by the commissioner. The RESC

must pay for the audit. (Effective July 1, 2007)

### ***Pilot Program For Combining Charter And Regular School Achievement Data***

**PA 07-3, June Special Session** establishes a six-year pilot program for determining district-wide AYP for purposes of the federal NCLB and the state school accountability laws for Bridgeport, Hartford, and New Haven. The program must combine student achievement data from schools under the jurisdiction of each city's board of education with that of charter schools located in the same city. The act allows SDE to use combined data only if (1) a board of education and a charter school mutually agree to include the charter school's data and (2) the education commissioner approves the agreement. (Effective July 1, 2007)

## **BUILDINGS AND GROUNDS**

### ***School Construction Bond Maturity***

**PA 07-87** allows municipalities and regional school districts to issue bonds for school construction projects with a maximum term of 30 rather than 20 years. The 30-year bonds are allowed only for projects for which the General Assembly authorized grant commitments on or after July 1, 1996, thus barring municipalities

and regional school districts from refinancing earlier projects for a longer term. The act also increases regional school districts' flexibility in issuing bonds to refinance outstanding debt ("refunding bonds"). (Effective, July 1, 2007)

### ***Security Assessments and Assistance for Schools***

**PA 07-208** requires any school district applying for a state school construction grant for a new school or a major alteration, extension, renovation, or replacement of a school that involves a school entrance, to include in the project plans security infrastructure for the entrances. The new requirement covers school construction applications for projects to be included on priority lists for 2009 and thereafter.

The act also establishes a competitive grant for FY 08 to improve security infrastructure in schools, install security systems in schools' primary entryways, purchase portable security devices, and train school personnel to use the devices and the infrastructure. To receive a grant, a district must show that it (1) has conducted a uniform security assessment of its school entrances and any security infrastructure; (2) has an emergency plan at its schools developed with applicable state and local first-responders; and (3) periodically practices the plan. The security assessment

must be carried out under the supervision of the district's local law enforcement agency and use the Safe Schools Facilities Check List published by the National Clearinghouse for Educational Facilities. (The security infrastructure plan requirement takes effect July 1, 2007. The security infrastructure grant takes effective on passage.)

### ***School Construction***

**PA 07-249** authorizes \$378 million in state grant commitments for school construction projects, including increased grants for reauthorized projects that have changed in cost or scope by at least 10%. It also:

1. requires school renovation projects to meet additional criteria in order to receive a state grant,
2. limits the circumstances under which the state will reimburse school districts for project-related litigation expenses,
3. limits reimbursements for site remediation and improvement costs,
4. gives the education commissioner additional flexibility to approve vocational-technical school projects,
5. requires charter schools that receive state school construction grants of at least \$250,000 to repay the unamortized part of the grant if they change the

- building to a nonschool use within 10 years of receiving the grant, and
6. subjects architectural and construction management services for school construction projects to competitive bidding.

It establishes special school construction grants for the Connecticut Science Center and up to two New London school projects, allowing them to receive the interdistrict magnet school reimbursement rate of 95% of eligible project costs, up to certain limits. Finally, the act waives various statutory and regulatory requirements for state-assisted school construction projects to make specific projects eligible for state grants. (Most provisions are effective July 1, 2007. The Connecticut Science Center, New London, and other project waivers are effective on passage.)

### ***“Green” School Requirements***

**PA 07-242, as amended by PA 07-249**, applies “green building” requirements to projects authorized by the legislature on or after January 1, 2009 for (1) new school construction costing \$5 million or more and (2) school renovations costing \$2 million or more. It also requires such projects to exceed the current building code energy efficiency standards by at least 20%. (Effective October 1, 2007)

### ***Energy Efficiency Grants for Municipal Buildings and Schools***

**PA 07-242** requires Connecticut Innovations, Inc. (CII) to establish a grant program to allow municipalities to purchase and operate renewable energy and energy-efficient generation resources for municipal buildings and schools. CII must give priority to grant applications for high schools and disaster relief centers. Grants must make the cost of buying and operating the efficient or renewable generation source competitive with the municipality’s current electricity expenses. (Effective on passage)

### ***Pesticide Use on School Grounds***

**PA 07-168** (1) extends a ban on applying lawn care pesticides at preschools and elementary schools to schools with students through grade eight, but allows a school superintendent and other appropriate authorities to authorize emergency applications of lawn care pesticides in health emergencies at such schools; (2) extends, for one year, an exemption to the ban for pesticides applied according to certain integrated pest management plans; and (3) makes the Department of Environmental Protection responsible for administering and enforcing school pesticide

applications. (Effective October 1, 2007)

## **EARLY CHILDHOOD/SCHOOL READINESS**

### ***Increase in School Readiness Per-Child Limit***

**PA 07-5, June Special Session** extends the \$6,925 limit on the per-child cost of the SDE's school readiness program component through December 2007. For January 2008 and each subsequent month, it requires SDE to increase the limit to a level it determines can be funded with 50% of the estimated unspent FY 08 appropriation for school readiness spaces as of June 30, 2008, but not more than \$8,266 per child. SDE must estimate the projected lapse on January 1, 2008. (Effective on passage)

### ***Leadership in Action Program Funding***

For FYs 08 and 09, PA 07-5, June Special Session allows up to \$100,000 per year from appropriations for the Early Childhood Education Cabinet to be used to support the Annie E. Casey Foundation's Leadership in Action Program, which trains people from diverse fields and backgrounds to focus on achieving a specific result, such as reducing the number of low birth-weight babies or increasing the number of children ready for

kindergarten. (Effective on passage)

## ***Use of Unallocated School Readiness Funds***

**PA 07-3, June Special Session**, as amended by **PA 07-5, June Special Session**, expands the education commissioner's permitted uses for school readiness funds that a town has not earmarked for expenditure by October 1. In addition to using them for supplemental grants to other eligible towns, he can also use them to generally support local school readiness programs. He can use the funds specifically for (1) assisting local school readiness programs in meeting and maintaining accreditation requirements, (2) providing training in implementing the preschool curriculum frameworks and developing a state-wide preschool curriculum, (3) developing assessments for first and second grade students, (4) developing and implementing best practices for parents in supporting preschool and kindergarten student learning and for children to transition from preschool to kindergarten. (Effective July 1, 2007. Amendment effective on passage)

## ***Facilities***

**PA 07-3, June Special Session** requires the Connecticut Health and Educational Facilities Authority and SDE to develop a

plan to increase capacity in school readiness programs. The plan must include recommendations on facility needs, professional development, and grant formula changes. (Effective July 1, 2007).

### ***Model Programs***

**PA 07-3, June Special Session** requires the education commissioner to establish two model early childhood learning programs associated with higher education institutions in place of the two similar pilot programs prior law required. Each one may include a laboratory school and a model day care program for 60 children ages three to five. The act requires SDE to issue requests for proposals for the programs and provide grants of \$100,000 each from Early Reading Success Program funds. (Effective July 1, 2007).

### ***Head Start Program Funds***

**PA 07-3, June Special Session** eliminates a provision requiring at least 75% of the Head Start competitive grant funding to be allocated to Head Start programs established before July 1, 1992. (Effective July 1, 2007)

### ***Reach Out and Read***

**PA 07-3, June Special Session**, requires SDE to establish and administer a program to match federal and

private funds to provide grants to pediatric care providers to promote early childhood literacy in health care settings. But **PA 07-5, June Special Session** repeals the grant. (Grant is effective July 1, 2007. Repeal is effective on passage.)

### ***State-Funded Child Day Care Centers***

The Department of Social Services (DSS) uses a unit cost reimbursement system for paying state-funded child care centers. Beginning January 1, 2008, **PA 07-2, June Special Session** requires any increase in payments to centers must be based on a requirement that they meet the statutory staffing requirements for school readiness programs. The school readiness law defines “staff qualifications” in a way that requires school readiness classrooms to include at least one staff person with certain credentials, such as a college degree or coursework, and imposes stricter requirements in the future (e.g., bachelor vs. associate degree). (Effective July 1, 2007)

### ***Day Care Services in Public School Buildings***

**PA 07-252** allows day care centers and group day care homes that provide services exclusively to school-age children in a public school building to ask the Department of Public Health

(DPH) for a variance from its regulations governing physical plant requirements. Before DPH can approve a variance, it requires the center or home to (1) document that it will satisfactorily meet the regulation's specific intent by other means and (2) enter a written agreement with DPH specifying the variance, its duration, and the terms under which it is granted. The day care operator must post the variance near its license and, when a child enrolls and annually thereafter, notify the child's parents or guardian of the variance. (Effective on passage)

## **GRANTS AND FUNDING**

### ***Education Cost Sharing Grants***

**PA 07-3, June Special Session** changes several key factors in the Education Cost Sharing (ECS) formula, which distributes state education aid to towns. It increases the ECS foundation amount, which is the per-student spending that ECS aid helps towns achieve, from \$5,891 to \$9,687 per-student through FY 12. It increases the state's contribution to the overall cost of education by increasing the state guaranteed wealth level from 55% to 75% above the wealth of the median town. It increases minimum aid for wealthier towns from 6% to 9% of the foundation and to 13% for wealthier towns with a high

proportion of low-income students.

The act also increases student need weightings for poverty and limited-English and updates the data used for the poverty weighting. In FY 09, it reduces the number of resident students by 25% of the number of a town's full-time students who attend interdistrict magnet schools receiving state magnet operating grants.

It eliminates (1) supplemental aid to towns based on poverty concentrations and higher-than-average population densities and (2) a factor that provided additional aid for low-achieving students.

The act phases in the increased state aid, specifying that towns receive 17.31% in FY 08 and 23.3% in FY 09 of the difference between what they were eligible to receive in FY 07 and their fully funded grant. It requires that each town receive at least a 4.4% increase for FY 08 and FY 09. PA 07-5, June Special Session requires SDE to adjust the 17.31% percentage for all towns to accommodate the cost of the minimum 4.4% increase within the budgeted ECS appropriation for FY 08. (Effective July 1, 2007. Amendment effective on passage)

### ***Minimum Budget Requirement***

**PA 07-3, June Special Session** establishes a new education minimum budget requirement (MBR) for towns.

Instead of requiring them to spend 100% of increased ECS grants on education, as the law previously did, the act allows towns to spend part of the aid increase for other things. It requires towns to spend between 15% and 65% of the ECS increases on education, with the exact MBR percentage determined by each town's relative current education spending, wealth, and student achievement. Low-performing school districts, as determined by three or more years of failure to make AYP, must increase their MBRs by an additional 20 percentage points. PA 07-5, June Special Session eliminates a separate calculation for "current program expenditures per resident student" for towns that are members of K-12 regional school districts, thus making all three MBR factors town-based. (Effective July 1, 2007. Amendment effective on passage)

### ***FY 08 ECS Increase Deferral Option***

**PA 07-3, June Special Session** allowed towns, by September 15, 2007, to ask the education commissioner to defer part of their ECS aid increases for FY 08. If the commissioner approves, deferred amounts must be added to the town's FY 09 grant. PA 07-5, June Special Session overrides provisions of any state law, local charter, special act or home-rule ordinance to allow towns to ask

for the deferrals and repeals a similar but broader section of **PA 07-3, June Special Session**. (Effective July 1, 2007. Amendment effective on passage)

### ***Limits on Certain Categorical Education Grants***

**PA 07-3, June Special Session** limits various state education grants to school districts and regional educational service centers (RESCs) through FY 09 at the levels appropriated in PA 07-1, June Special Session (the budget). It requires that, if the appropriated amounts are not sufficient to fully fund the grants, amounts be proportionately reduced. Limits apply to grants for (1) health services to private school students, (2) public and private school transportation, (3) adult education, (4) bilingual education, and (6) RESC lease and operating costs. (Effective July 1, 2007)

### ***Priority School District Grants***

For FYs 08 and 09, **PA 07-3, June Special Session** directs the distribution of the priority school district (PSD) grant appropriation among state grant programs for priority school districts, school readiness, Early Reading Success, extended school building hours, and school accountability. For each fiscal year starting with FY 08, it requires each town in a priority school district to receive a PSD

grant of at least \$150 per student. It also requires the SBE to add \$650,000 per year starting in FY 08 to the PSD grant for the town with the sixth highest population in the state. The population counts must be based on the most recent decennial census. (Norwalk is the town with the sixth highest population in Connecticut based on the 2000 Census.) (Effective July 1, 2007)

### ***Supplemental Priority School District Grants***

**PA 07-5, June Special Session** extends an FY 07 allocation of \$2,610,798 in additional PSD grants to the three largest school districts (Bridgeport, Hartford, and New Haven) for two years, through FY 09. It also reduces the total funding for a supplemental PSD grant to all priority districts from \$6 million to \$4,750,900 per fiscal year. In both cases, the money is addition to all other PSD grants each district receives. (Effective on passage)

### ***Open Choice Program Grants***

**PA 07-3, June Special Session** increases grants to districts accepting students from other districts as part of the state interdistrict's school attendance program (Open Choice) from \$2,000 to \$2,500 for each out-of-district student. When total program enrollment is below the number for which the state

appropriates funds, it increases, from \$350,000 to \$500,000, the maximum pool of those excess funds available for distribution to receiving districts that enroll 10 or more out-of-district students in the same school. Finally, it act increases the maximum statewide average grant to RESCs and local and regional school districts that provide transportation for Open Choice from \$2,100 to \$3,250 per student. (Effective July 1, 2007)

### ***Open Choice Grants For Students In The Sheff Region***

**PA 07-5, June Special Session** allows the education commissioner, within available appropriations, to provide grants for preschool, kindergarten, and academic support programs for students participating in the Open Choice interdistrict attendance program in the 22-town "Sheff Region." The commissioner must approve the programs receiving the grants. (Effective on passage)

### ***Charter School Grants***

**PA 07-3, June Special Session** increases the charter school per-student grant from \$8,000 to \$8,650 for FY 08 and \$9,300 for FY 09. (Effective July 1, 2007)

## ***Magnet School Operating Grants***

**PA 07-3, June Special Session**, as amended by **PA 07-5, June Special Session** establishes per-pupil grants for magnet schools for FYs 08 through FY 11. For each out-of-district student attending a host magnet school the maximum grant is \$6,016 for FY 08, \$6,730 for FY 09, \$7,440, for FY 10, and \$8,158 for FY 11. For each host district resident attending a host magnet, the grant is \$3,000. These amounts also apply for students attending RESC magnets where 55% or more of the students come from one town. The act increases the per-student grant for RESC-operated magnets that enroll less than 55% of students from a single district from \$6,500 to \$7,060 for FY 08, \$7,620 for FY 09, \$8,180 for FY 10, and \$8,741 for FY 11. (Effective July 1, 2007. Amendment effective on passage)

## ***Vo Ag Center Per-Student Grant and Tuition Limit***

**PA 07-3, June Special Session** increases the state's per-student grant to districts operating vocational agriculture (vo ag) centers from \$700 to \$1,355 for each secondary school student enrolled in a center on the preceding October 1. It also increases the maximum allowable vo ag center tuition charge from \$7,069 to \$7,992 per

student (82.5% of \$9,687). (Effective July 1, 2007)

## ***After-School Grants***

**PA 07-3, June Special Session** expands the type of programs eligible for state after-school grants, specifies that grants may be used for entities that provide after-school program support, and requires eligible programs to have parent involvement as one of its program components. It requires grantees to report to SDE on its expenditures and performance outcomes, including measurements showing impact on student achievement and school attendance and behavior. It requires SDE to provide technical assistance, evaluation, program monitoring, professional development, and accreditation support to grantees. (Effective July 1, 2007)

## ***Youth Service Bureau Grants***

**PA 07-3, June Special Session** increases the number of youth service bureaus (YSBs) eligible for SDE grants. It also establishes a YSB enhancement grant and requires SDE to award additional annual grants of from \$3,300 to \$10,000 according to the population of the town or group of towns a YSB serves. (Effective July 1, 2007)

### ***Hartford Interdistrict All-Day Kindergarten Grants***

**PA 07-5, June Special Session** extends indefinitely the education commissioner's authority to provide grants for Hartford students to participate in an all-day kindergarten program under the Open Choice interdistrict school attendance program. The grants can be used to pay for before- and after-school care and remedial services for the kindergarten students in the program as well as for subsidies to receiving districts. (Effective on passage)

### ***Early Reading Success Competitive Grants***

**PA 07-5, June Special Session** increases the annual appropriation for early reading success competitive grants from the FY 07 level of \$1,788,001 to \$1,850,000 and extends the grant through FY 09. It continues to limit the maximum amount SDE may use for administering the grants to \$353,646 per year. (Effective on passage)

### ***Bridges College-Readiness Grant Program***

**PA 07-3, June Special Session** requires the Department of Higher Education (DHE) to contract, by March 1, 2008, with the Connecticut State University (CSU) system board of trustees to develop a college-readiness grant program to (1) address core

subject-matter deficiencies among college-bound high school students and (2) improve these students' performance on Connecticut mastery and college placement examinations. The CSU trustees must (1) develop a plan for implementing a college-readiness program in the CSU system, in consultation with SDE and DHE and (2) submit it to SDE and DHE. (Effective July 1, 2007)

### ***WACE Technical Training Center***

For FYs 07 and 08, **PA 07-1, June Special Session** exempts WACE Technical Training Center in Waterbury from adult education grant requirements and allows it to spend up to \$300,000 of its grant for technical training. (Effective July 1, 2007)

### ***Amer-i-can Program Funding***

**PA 07-5, June Special Session** transfers a \$250,000 appropriation in the budget act for each of FYs 08 and 09 for the Amer-i-can Program from the Department of Correction to SDE. (Effective on passage)

## **HEALTH AND WELFARE**

### ***Administering Medication in School Readiness and Before-And After-School Programs***

**PA 07-241** allows directors of school readiness programs and certain before- or after-school programs to give medicine to a child who is enrolled in the program. The before- and after-school programs covered are those that are (1) administered by a public school system or municipal agency or department and (2) located in a public school. The medicine must be administered according to SBE regulations. The act immunizes those who administer medicine according to the act from civil liability to the child or his parent or guardian for negligent acts or omissions in giving medicine. The immunity does not extend to acts or omissions that constitute gross, willful, or wanton negligence. (Effective on passage).

### ***Expanded School-Based Health Centers***

**PA 07-185** as amended by **PA 07-2, June Special Session**, requires DPH, within available funding, to expand school-based health clinic services in FY 08 for (1) priority school districts and (2) areas designated by the federal Health Resources and Services Administration as health professional shortage areas, medically underserved areas, or

areas with a medically underserved population. It requires any school-based health clinic constructed on or after October 1, 2007 that is located in, or attached to, a school building, to have an entrance separate from the school. (Effective July 1, 2007)

### ***Health Assessments for Adolescents***

**PA 07-58** requires public school students to have health assessments in either grade nine or 10, instead of grade 10 or 11. (Effective July 1, 2008)

### ***Administration Of Medication In Schools Based On Optometrists' Written Orders***

**PA 07-252** allows school nurses and others authorized to administer medications to students to administer them pursuant to an optometrist's written order. (Effective July 1, 2007)

### ***"A Better Chance" Housing***

**PA 07-252** exempts from Department of Children and Families licensing requirements houses in which students participating in "A Better Chance" programs live. These programs bring academically talented minority students from other states to live and attend school in Connecticut. (Effective July 1, 2007)

## **CHARTER SCHOOLS**

### ***Governing Councils***

**PA 07-3, June Special Session** requires (1) the local school board chairperson, another designated board member or the local school superintendent, to be a member of a charter school's governing board; (2) requires governing councils to include revenue received from both public and private sources in their annual reports to the education commissioner; and (3) councils to post their meeting schedules, agendas, and minutes, including those of any subcommittees, on any web site it operates. (Effective July 1, 2007)

### ***Random Audits***

**PA 07-3, June Special Session** requires the education commissioner to randomly select a state charter school every year for a comprehensive financial audit by an auditor the commissioner selects. The charter school is responsible for all costs of the audit unless SDE decides to use unspent charter school grant funds for this purpose. (Effective July 1, 2007).

### ***Funding Priority***

**PA 07-3, June Special Session** sets funding priorities when more than one new state charter school is approved and

awaiting funding in any one fiscal year. In these situations, it requires SBE to determine which school to fund first based on the following factors in order of importance: (1) if the applicant has demonstrated a record of academic success by its students, (2) if the school is located in a district with a demonstrated need for student improvement, and (3) if the applicant has plans for the preparation of facilities, staffing, and student outreach. (Effective July 1, 2007).

### ***Use of Excess Charter School Funds***

**PA 07-5, June Special Session** expands the permitted uses of any excess charter school funds to include paying expenses incurred (1) in the creation of a CommPACT school or (2) by SDE to ensure continuity of a charter school, when a competent court requires it. SDE must consult with the OPM secretary in allocating the funds for either of these purposes. (Effective on passage)

## **SCHOOL BUSES**

### ***Operator Qualifications***

**PA 07-224** as amended by **PA 07-5, June Special Session**, imposes additional background check requirements on applicants for licenses and endorsements to drive school buses and school transportation

vehicles (STVs), including a check of the state child abuse and neglect registry. It requires the Department of Motor Vehicles (DMV) commissioner to deny a license or suspend an endorsement for transporting students for anyone convicted of a serious criminal offense, if the person has not completed his or her sentence or completed it within the past five years.

The act (1) requires, rather than allows, the DMV commissioner to periodically provide reports to public transportation providers, including school districts, listing anyone whose commercial driver's license or passenger endorsement the commissioner has suspended, withdrawn, or revoked and (2) requires each carrier to check these reports at least twice a month and, within 10 days after each check, prohibit from driving any of its school bus or STV drivers who are not properly licensed.

The act extends required random drug testing to those employed to drive STVs that carry 10 or fewer students and bars carriers from continuing to employ as a driver any school bus or STV driver who tests positive for drugs. The act increases penalties on (1) carriers who fail to implement required drug testing for school bus and STV drivers and applicants and (2) school transportation contractors who allow anyone not properly licensed to drive a school bus carrying school

children. It imposes fines on carriers who fail to carry out the required checks of drivers' licensure status or fail to remove an operator who is not properly licensed. The act also bars the DMV commissioner from issuing temporary licenses with school bus or STV endorsements. (Effective July 1, 2007. Amendment effective on passage)

### ***School Buses***

**PA 07-224** requires each school bus company to paint its name and phone number and the bus number conspicuously in black lettering on the rear and sides of each of its school buses. It requires the DMV commissioner to determine the size of the lettering. (Effective October 1, 2007).

### ***School Bus Emissions***

**PA 07-4, June Special Session** requires towns and school boards to retrofit certain full-size school buses with emissions-reducing equipment by September 1, 2010, as long as the work can be done within the grant amounts the act establishes. The Department of Environmental Protection (DEP) must provide the grants from available appropriations. It makes the retrofitting and registration requirements contingent on whether the state can develop contracts setting price levels for the purchase, installation and warranty of the

equipment for less than the act's grant amounts. However, the DEP commissioner must reimburse towns and school boards that retrofit their buses voluntarily, even if the state contracts do not cover all their costs. DEP also must develop an outreach plan to educate municipalities, school boards, and bus companies about the emission and procurement contract requirements and help them retrofit their buses. (Effective July 1, 2007)

## **SCHOOL CHOICE**

### ***Vo Ag Centers***

**PA 07-3, June Special Session** requires a school district that does not maintain a vo ag center to allow its students to enroll in another district's center in numbers that are at least equal to (1) the number specified in any written agreement it has with a vo ag center or (2) if there is no written agreement, the average number of its students enrolled in the center during the three previous school years. (Effective July 1, 2007)

### ***Interdistrict Magnet School Enrollment***

**PA 07-3, June Special Session** allows interdistrict magnet schools that have unused student capacity after accommodating students from participating districts in accordance with their enrollment

agreement, to enroll any interested student directly into its program. A student from a nonparticipating district must be given preference. The board of education otherwise responsible for educating the student must pay the per-student tuition, if any, charged to participating districts. For FY 09, the act requires this tuition to equal 75% of the difference between the average per pupil expenditure of the magnet school for the prior fiscal year and the magnet school per-pupil grant. If the board of education fails to pay the tuition, the commissioner can withhold ECS funds from the school, up to the amount of the unpaid tuition, and transfer it to the fiscal agent for the magnet school as a supplementary operating grant. (Effective July 1, 2007)

## **SCHOOL DISTRICTS**

### ***"CommPACT Schools"***

**PA 07-3, June Special Session** allows a board of education, through agreement with its teachers' and administrators' bargaining units, to create a CommPACT school. The board must give such a school autonomy in governance, budgeting, and curriculum. The school must be managed collaboratively by the district superintendent and a governing board comprised of school and bargaining unit representatives, community leaders, and parents and guardians of CommPACT

school students. It requires DHE to contract, by March 1, 2008, with UConn's Neag School of Education to administer a field-based support program for up to 12 CommPACT schools. For FY 09, it transfers \$500,000 of the funds appropriated to SDE for CommPACT schools to DHE for these purposes. (Effective July 1, 2007)

### ***Vo Ag Center Tuition Limit***

**PA 07-3, June Special Session** increases the maximum allowable vo ag center tuition charge from \$7,069 to \$7,992 per student (82.5% of the new ECS foundation amount of \$9,687). (Effective July 1, 2007).

### ***Vo Tech School Transportation Expenditure Limit***

**PA 07-5, June Special Session** changes the vocational-technical school transportation cost ceiling for school districts from the ECS foundation amount to \$6,000 per student. PA 07-3, June Special Session, increased the ECS foundation amount from \$5,891 to \$9,687 per student. (Effective on passage)

### ***Notice Regarding Surveys Accompanying College Admission Tests***

**PA 07-241** authorizes school boards to require their high schools that host college preparation or admissions forums that parents and

guardians may attend to inform them that responding to some surveys accompanying the admission exams is optional. It also requires the information to include a warning that releasing personal identifying information can increase a student's risk of identity theft. (Effective July 1, 2007).

### ***School District Reporting Of Student Insurance Rates***

**PA 07-2, June Special Session**, as amended by **PA 07-4, June Special Session**, requires local or regional school boards to require all students in their jurisdiction to report whether they have health insurance. The DSS commissioner, or his designee, must provide information to the boards on state-sponsored health insurance programs for children, including application assistance. The boards must provide this information, and application assistance, to each uninsured student's parent or guardian. (Effective July 1, 2007)

### ***In-School Suspensions***

**PA 07-66** requires student suspensions to be in-school suspensions unless the school administration determines, at the required informal suspension hearing, that the student (1) poses a danger to persons or property or (2) is so disruptive of the educational process, that an out-of-school suspension is

warranted. Prior law defined in-school suspension as exclusion from classroom activity, but not from school, for up to five consecutive days. The act extends this to 10 consecutive days. Under existing law, an exclusion from school privileges for more than 10 days constitutes an expulsion. (Effective July 1, 2008)

### ***Suspensions and Expulsions***

**PA 07-122** allows a school administration or a local board of education to shorten or waive suspension or expulsion periods for students who have not previously had either a suspension or expulsion imposed on them, if the students complete an administration- or board-specified program and meet any other administration- or board-required conditions. Districts are barred from charging a student or his parents a fee to participate in any such program. Local boards must expunge the disciplinary action from the student's cumulative record when it has been waived or shortened pursuant to the act and the student either graduates high school or, if the board or administration chooses, completes the specified program and requirements, whichever is earlier. (Effective July 1, 2007)

### ***Unified School District #1 Education Credit***

By law, a school district receiving a transfer student must give written notice of the student's enrollment to the student's former school district. **PA 07-38** requires school districts receiving transfer students from Unified School District #1 to provide the written notification to the unified district within 10 days of the enrollment. It specifies that, as is required by law for all sending districts, Unified School District #1 must transfer the student's records within 10 days of receiving the notice. Unified School District #1 serves students in the custody of the Department of Correction. (Effective July 1, 2007)

### **SPECIAL EDUCATION**

#### ***Use of Restraints and Seclusion In Public Schools***

**PA 07-147** regulates the use of physical restraints and seclusion on students receiving or awaiting eligibility determinations for special education services in public schools. It (1) gives the State Board of Education (SBE) authority over use of restraints and seclusion as part of its existing mandate to regulate special education curriculum and instructional conditions and (2) requires the SBE to adopt implementing regulations. It requires local and regional

boards of education to tell pupils, parents, guardians, and others standing in the place of parents about (1) the laws and regulations governing the use of physical restraints and seclusion and (2) related student and parental rights at the first planning and placement team meeting involving the student's individual educational program. The act also creates reporting procedures. (Effective October 1, 2007)

## **STATE DEPARTMENT OF EDUCATION**

### ***Education Commissioner's Appointment***

**PA 07-114** eliminates the State Board of Education's authority to appoint the education commissioner and instead requires the board to recommend a candidate to the governor. It requires the governor to nominate the commissioner, and requires the legislature to approve the nomination. Under prior law, the General Assembly did not confirm the education commissioner's appointment. (Effective October 1, 2007)

### ***Technical High School Advisory Committee***

**PA 07-40** expands the membership of, and changes the types of entities that must be represented on, the statewide advisory committee for regional vocational-technical (V-T) high

schools. It expands the committee's duties and changes them to reflect a focus on workforce needs. Finally, it requires the committee to meet at least semiannually. There were no meeting requirements under prior law. (Effective July 1, 2007)

### ***Early Childhood Education Cabinet***

**PA 07-3, June Special Session** requires SDE to provide administrative services to the statutory Early Childhood Education Cabinet and the Governor's Early Childhood Research and Policy Council established by executive order. (Effective July 1, 2007).

### ***School Readiness Administration***

**PA 07-5, June Special Session** allows SDE to continue to retain up to \$198,200 of the annual total school readiness grant appropriation for coordination, program evaluation, and administration through FY 09. (Effective on passage)

### ***Consultations on Additional Magnet Schools in the Sheff Region***

**PA 07-5, June Special Session** requires the education commissioner to consult with the boards of trustees of public and private higher education institutions and constituent

units, and with nonprofit organizations, that will serve students in the Sheff Region to initiate collaborative planning for establishing additional interdistrict magnet schools. The commissioner must approve any nonprofit organizations that participate. (Effective on passage)

### ***Birth-to-Three Allocation***

**PA 07-3, June Special Session** requires SDE to transfer \$1 million per year of the special education funds it receives to the Department of Mental Retardation for FYs 08 and 09 to carry out special education-related requirements consistent with federal law (Effective July 1, 2007).

## **TEACHERS AND OTHER SCHOOL EMPLOYEES**

### ***Visiting International Teachers***

**PA 07-30** allows school boards to request, and requires the State Board of Education to issue, a temporary international teacher permit in a subject shortage area. The permit allows a foreign teacher with certain qualifications to teach in a public school under the school board's jurisdiction. The permit is valid for a total three years if the school board asks for renewals. The board requesting a permit must promise that it has a plan for supervising the foreign teacher. (Effective July 1, 2007)

## ***State Education Resource Center Professional Staff***

**PA 07-126** extends membership in the Teachers' Retirement System (TRS) to professional staff employed by the State Education Resource Center (SERC) who have certificates or permits issued by the State Board of Education. It also allows TRS members to purchase credit in the TRS for pre-July 1, 2007 service with SERC. It requires members to pay the full present-value actuarial cost of the SERC service credit, instead of 50% of the full cost as required for other authorized TRS service credit purchases. (Effective July 1, 2007).

### ***Teachers' Retirement System Funding***

**PA 07-186** authorizes state general obligation (GO) bonds to fund \$2 billion of the unfunded liability of the Teachers' Retirement System (TRS) and related costs. It exempts the bonds from the state's debt limit. The maximum bond term is 30 years. While the bonds are outstanding, the act allows the state to reduce its annual contributions to the Teachers' Retirement Fund (TRF) only if (1) it protects bondholders' rights in another way or (2) the governor declares an emergency or extraordinary circumstances, a supermajority of the legislature

approves, and the reduction does not cause the TRF's funded ratio (assets versus liabilities) to fall below specified levels. The act also bars the state from unilaterally reducing benefits while the bonds are outstanding, guarantees TRS members who retire on or after September 1, 1992 an annual pension cost of living adjustment (COLA), and reduces promised retirement COLAs for members who join TRS on or after July 1, 2007. (Effective July 1, 2007)

### ***Superintendent Certification Waiver***

**PA 07-241** allows the education commissioner to waive the requirement that a school superintendent hold a superintendent certificate issued by the SBE, if the person meets the act's criteria for exceptional qualifications. (Effective July 1, 2007)

### ***Durational Shortage Area Permit Waiver***

**PA 07-241** requires the SBE to issue a durational shortage area permit in elementary education to a person who meets certain narrow criteria. For a person meeting the criteria, the act waives requirements that (1) a permit be issued only for a shortage area and (2) the permit holder have a bachelor's degree from a regionally accredited institution. (Effective on passage)

### ***Marital and Family Therapist Certification***

By June 1, 2008, **PA 07-241** requires SBE to adopt regulations establishing standards to certify marital and family therapists employed by school boards. The regulations must require (1) licensure by the DPH as a marital and family therapist and (2) other experience the SBE considers appropriate for a marital and family therapist working in a school system. (Effective July 1, 2007)

### ***School Paraprofessionals***

**PA 07-3, June Special Session** requires SDE, through the State Education Resource Center, to promote professional development for school paraprofessionals responsible for instructing students. SDE must also establish a paraprofessional advisory council to advise on the needs for paraprofessional training and effectiveness of the content and delivery of existing training. (Effective July 1, 2007)

### ***Minority Teacher Recruitment and Retention***

**PA 07-3, June Special Session** requires the RESC Minority Recruiting Alliance to study how best to (1) encourage minority middle and high school students to go to college and enter teacher preparation programs, (2) recruit minority

college students to enroll in teacher preparation programs and become teachers, and (3) recruit and maintain minority teachers in Connecticut schools. The act also requires the alliance, in consultation with the same entities, to propose guidelines for pilot minority teacher recruitment and retention programs and specifies types of pilot programs the alliance can consider. (Effective July 1, 2007)

### ***Family and Medical Leave for Civil Union Partners***

**PA 07-245** requires school districts and other state political subdivisions to provide employees who (1) are parties to a civil union and (2) have worked for the political subdivision for at least 12 months and 1,250 hours during the past 12 months, with the same Family and Medical Leave Act benefits that federal law provides to parties to a marriage. (Effective October 1, 2007)

## **TESTING AND CURRICULUM**

### ***Democracy Education in Elementary Schools***

**PA 07-138** requires public and private elementary schools to provide a program on democracy that allows students to learn about the branches of government in a participatory manner as part of their fourth or fifth grade curriculum. (Effective July 1, 2007)

### ***Connecticut Career Certificate Program***

**PA 07-20** updates the Connecticut Career Certificate Program to reflect existing practice and federal funding requirements. Among other things, it changes the focus of program grants to developing the educators administering the programs, eliminates regional school-to-career partnerships, requires instruction in workplace safety, and organizes the program under the 16 federally recognized career clusters. (Effective July 1, 2007)

### ***Mastery Test Data***

**PA 07-241** revises the timetable for compiling data used to calculate each district's "mastery percentage" to reflect the change in the schedule for administering grade 3-8 mastery tests from fall to spring. The mastery percentage is one factor in determining a district's minimum budget requirement for spending ECS funds. (Effective July 1, 2007)

### ***Distance Learning***

In FY 08 and FY 09, **PA 07-3, June Special Session** requires the Connecticut Distance Learning Consortium to deliver on-line courses developed with, or with the approval of, the departments of Education and Higher Education, RESCs, or

other agencies interested in delivering such courses. SDE must approve the content of on-line courses offered for academic credit in public schools. (Effective July 1, 2007)

### ***High School Graduation Study***

**PA 07-3, June Special Session**, requires the Education Committee co-chairpersons and ranking members or their designees, the education commissioner, the SBE chairperson, and the Office of Policy and Management secretary to form a committee to study high school graduation requirements. It must report on the study to the governor and the Education Committee by January 15, 2008. (Effective July 1, 2007)

## **HIGHER EDUCATION**

### ***Private Occupational School Protection Account***

**PA 07-1, June Special Session** allows DHE to spend \$228,000 in FY 08 and \$233,000 in FY 09 from the private occupational school student protection account. (Effective July 1, 2007)

### ***Analysis of Proposed New UConn Health Center Hospital***

**SA 07-10**, as amended by **PA 07-1, June Special Session**, requires the Office of Legislative Management to contract with the Connecticut Academy of Science

and Engineering (CASE) for a needs-based analysis of the UConn Health Center's facilities plan. The latter act earmarks up to \$400,000 of Legislative Management's FY 08 appropriation for the analysis. **PA 07-5, June Special Session** requires CASE to conduct its analysis in consultation with the Office of Health Care Access. (Effective July 1, 2007. PA 07-5, June Special Session provision is effective on passage)

### ***Higher Education Emergency Plans***

**PA 07-208** requires colleges, universities, and private occupational schools to (1) by October 1, 2007, have emergency response plans and (2) by that date and annually thereafter, submit their plans to the public safety and emergency management and homeland security commissioners and local first-responders. Institutions must consult local first-responders in developing their plans. Each plan must include a method for notifying the institution's students, employees, and visitors of emergency information. (Effective July 1, 2007)

### ***Strategic Master Plan for Higher Education***

**PA 07-3, June Special Session** establishes a 36-member blue ribbon commission to develop and implement a

strategic master plan for higher education in Connecticut. The plan must identify short- and long-term state goals for higher education and include benchmarks for achieving those goals by 2010, 2015, and 2020. The goals must reflect the unique missions of each public and private higher education institution in the state. The commission, beginning October 1, 2008 and until 2021, must submit a biennial report on the plan's implementation and on progress in achieving its benchmarks. The report must be prepared by DHE and submitted to the governor and various General Assembly committees. (Effective July 1, 2007)

### ***Central Connecticut State University's Athletic Facilities***

**PA 07-3, June Special Session** approves up to \$10 million in repairs, alterations, or additions to Central Connecticut State University's athletic fields and associated support facilities. (Effective July 1, 2007)

### ***UConn 2000 Code Violation Repairs***

**PA 07-3, June Special Session** prohibits UConn from using tuition or student fee revenue to pay for repairs performed solely to correct code violations that (1) were applicable at the time of project completion and (2) are for UConn 2000 projects named in statute

completed before January 1, 2007.

The act also amends the definition of deferred maintenance for the UConn 2000 building program by eliminating an exclusion for repairs performed solely to correct code violations that were applicable to nonthreshold UConn 2000 projects named in statute that were completed before July 1, 2006. These changes appear to allow UConn to use money, other than tuition or student fee revenue, including UConn 2000 deferred maintenance funds, to pay for repairs to correct code violations. (Effective July 1, 2007)

### ***Stem Cell Research Peer Review Committee***

Beginning July 1, 2007, **PA 07-252** allows the DPH commissioner to appoint additional members to the Stem Cell Peer Review Committee as he deems necessary to review grant applications. The total number of members cannot exceed 15. These additional members must be approved according to the requirements of existing law, but they serve two-year instead of four-year terms. (Effective July 1, 2007)

### ***Tuition Raffles***

**PA 07-36** allows organizations qualified to conduct bazaars and raffles to conduct a special tuition raffle once each calendar

year. It defines a “tuition raffle” as one in which the prize is the payment of tuition at an educational institution for a student recipient the raffle winner designates. The Division of Special Revenue executive director must adopt implementing regulations for tuition raffles. (Effective October 1, 2007)

### ***Energy Efficiency Projects In Colleges***

**PA 07-242** allows the Connecticut Health and Educational Facilities Authority to provide grants or other financial assistance to colleges for energy efficiency and renewable energy construction and renovation projects. (Effective October 1, 2007)

### ***Student Members of CSU Board of Trustees***

**PA 07-19** changes the terms of the four student members on the Connecticut State University system board of trustees and changes, from November to July, the month when a student member of the board can be seated. (Effective on passage)

### ***Department of Higher Education Enforcement Authority***

**PA 07-90** eliminates a criminal penalty of \$1,000 per violation and establishes an administrative penalty of \$500

per day for any higher education institution operating or conferring academic degrees without proper licensure or accreditation by the Board of Governors of Higher Education. It establishes procedures under which the commissioner imposes the penalty and enforces the licensure and accreditation law and expands the commissioner’s and board of governors’ enforcement powers by allowing them to ask a court enforce their orders. (Effective January 1, 2008)

### ***Connecticut Higher Education Supplemental Loan Authority (CHESLA)***

**PA 07-108** (1) requires the state to withhold the state income tax refund of any taxpayer who has defaulted on a CHESLA-made or -guaranteed student loan; (2) permits the authority, with approval, to enter into interest rate swap agreements and credit enhancement or liquidity agreements, or any other appropriate agreements in connection with its debt obligations; (3) allows it to develop, and require the use of, master promissory notes for education loans; and (4) allows more than one of the three members its board of directors representing Connecticut higher education institutions to be from a public higher education institution. (Effective July 1, 2007)

### ***UConn 2000 Projects***

**PA 07-108** (1) adds a new \$18 million project, renovations to the Old Central Warehouse, to Phase III of the UConn 2000 infrastructure improvement program and (2) reduces the cost estimates for three other projects in the program. (Effective July 1, 2007)

### ***Connecticut Student Loan Foundation***

**PA 07-109** (1) extends the Connecticut Student Loan Foundation's (CSLF) bonding authority to a nonprofit subsidiary of the foundation; (2) authorizes CSLF or its subsidiary to issue federal tax-exempt bonds, notes, or other obligations, subject to the private activity bond cap and (3) requires CSLF or its subsidiary to fund borrower benefits with the savings it achieves by issuing these bonds. It also exempts any bonds issued by CSLF or its subsidiaries, and any transfer of or income generated by the bonds, from any state and local taxes, except for state estate and succession taxes and adds the state treasurer, or the deputy treasurer if designated by the treasurer, to CSLF's board of directors. (Effective July 1, 2007)

### ***Private Occupational Schools***

**PA 07-164** authorizes the Department of Higher Education to deny a refund from the

Student Protection Account to a student in a private occupational school who falsifies information on a tuition reimbursement application. It also revises the information schools must provide in their applications for authorization to operate private occupational schools. (Effective October 1, 2007)

### ***Faculty Research and Consulting Projects***

**PA 07-166** allows higher education constituent units' faculty or faculty bargaining unit members to enter into consulting agreements or engage in research projects with public or private entities without violating the State Ethics Code's prohibitions against public officials and state employees accepting certain outside employment or disclosing confidential information. It requires each constituent unit's board of trustees to establish policies on such agreements or projects and establishes committees to monitor each unit's compliance with the policies. (Effective on passage)

### ***UConn Eminent Faculty Recruitment Program***

**PA 07-5, June Special Session** requires the UConn Foundation to raise at least \$2 million in industry and other outside funding before it may spend any state money for its eminent faculty recruitment program. The funding

commitments must be in writing and certified by UConn's president to the Office of Policy and Management secretary. (Effective on passage)

### ***State Contracts***

With two exceptions, the law prohibits public officials, state employees, their immediate family members, and businesses with which they are associated from entering into state contracts worth \$100 or more unless it is awarded through an open and public process. **PA 07-166** allows these individuals and associated businesses to contract with public higher education institutions for the development and commercialization of inventions and discoveries without going through an open and public process. (Effective on passage)

### ***Qualified State College Savings Plans***

**PA 07-166** exempts interests in or amounts payable to participants and beneficiaries of any qualified state college savings plan, also known as "529 plans," from creditors' claims. (Effective October 1, 2007)

### ***UConn 2000 Audits***

**PA 07-166** requires the independent auditors appointed by UConn's Board of Trustees to review a sample of invoices, expenditures, and cost

allocations for UConn 2000 projects rather than all of the documentation. It also requires the auditors to submit an annual report on their findings to the General Assembly. (Effective July 1, 2007)

### ***CHEFA Board of Directors***

**PA 07-5, June Special Session** expands the eligibility requirements for designated members of the Connecticut Health and Educational Facilities Authority by permitting those appointed in their capacity as trustees, directors, officers, or employees of higher education or health care institutions in the state to be retired. Under prior law, they had to be currently serving as such. (Effective on passage)

### ***Connecticut Higher Education Trust Annual Report***

**PA 07-5, June Special Session** delays the deadline for the state treasurer to submit her annual financial report on the Connecticut Higher Education Trust (CHET) from October 15 to December 31. CHET is Connecticut's state-sponsored college savings plan. (Effective on passage)

## **LIBRARIES**

### ***Public Libraries***

**PA 07-227** extends confidentiality requirements to cover more types of personally identifiable information

maintained by libraries open to the public. It extends confidentiality to any library record, regardless of format, that can be used to identify a library user or link a user to a library transaction. The confidentiality requirement applies to any library that is regularly open to the public, including public and private libraries; libraries maintained by industrial, commercial, or other associations or groups; and libraries maintained by state or local government agencies. The new requirements do not apply to (1) records maintained by school or higher education institution libraries; (2) records disclosed to a library's officers, employees, and agents in order to run the library; or (3) statistical reports regarding library registration and use of materials that do not contain personally identifying information.

The act also updates laws governing the State Library, local public libraries, the State Library Board, and the state librarian. Among other things, it expands the State Library's collection of public documents to include electronic and digital documents, adjusts the authority of the State Library Board and the state librarian, and eliminates obsolete provisions and wording. (Effective July 1, 2007)

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