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EDUCATION



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NOTICE TO READERS

This report provides highlights of new laws affecting education enacted during the 2009 regular and special legislative sessions. Not all provisions of the acts are included here. Complete summaries of all 2009 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

Longitudinal Studies of Student Achievement

A new act requires the State Department of Education (SDE) to assign a unique student identifier to each student for purposes of tracking individual student performance on state mastery tests through the public school information system. Starting August 1, 2009, SDE must provide data maintained in the system to nonprofit, tax-exempt organizations that request it, at the requestor's expense. **(PA 06-241, effective July 1, 2009)**

ATTENDANCE AND DISCIPLINE

Mandatory Attendance Age

Starting July 1, 2011, a new law bars students from dropping out of high school at age 16 even with parental consent. Instead, it requires students who have not graduated to remain enrolled until they reach age 17. At that age, they may quit, but only with their parent's consent. **(PA 09-6, September Special Session, effective on passage)**

In-School Suspension

An act postpones, from July 1, 2009 to July 1, 2010, the implementation of a 2007 law limiting out-of-school suspensions. That law requires

suspensions to be in-school unless the school administration determines, at the required informal suspension hearing, that the student (1) poses such a danger to people or property or (2) is so disruptive of the educational process that the suspension must be served outside of school. **(PA 09-6, September Special Session, effective on passage)**

Readmission to School after Dropping Out

By law, if a student aged 16 or older voluntarily drops out and then seeks readmission to school, a school board can deny readmission for up to 90 days from the date the student left school. Starting July 1, 2010 for 16-year-olds and July 1, 2011 for 17-year-olds, a new law requires school districts to readmit students within three days after they ask, as long as they ask no more than 10 days after dropping out. **(PA 09-6, September Special Session, effective on passage)**

Readmission after Expulsion

An act prohibits a school district from preventing the return of, or expelling for additional time for the same offense, a student who committed an expellable offense and who seeks to return to a

district after having been in a residential placement for at least a year. (**PA 09-82**, effective July 1, 2009)

Truancy Data

A new act requires boards of education to include truancy measures in their strategic school profile reports, including data the SDE must collect on attendance and unexcused absences to comply with federal reporting requirements. The act further specifies that the data is public. (**PA 09-143**, effective July 1, 2009)

Report on Youth Service Bureau Referrals

An act requires the education commissioner's annual report on youth service bureaus to include information about referrals and diversions of 16-year-olds from the court system to youth service bureaus. (**PA 09-7, September Special Session**, effective January 1, 2010)

BUILDINGS

School Construction Projects

An act approves \$395.8 million in state grant commitments for school construction projects on the education commissioner's 2009 project priority list. It authorizes new grants for 18 school projects and grant increases for 21 previously authorized projects

that have changed by more than 10% in cost or scope. (**PA 09-6, September Special Session**, effective on passage).

School Construction Bond Authorizations

For FY 10, the legislature authorized \$676.7 million in state bonding for ongoing school construction projects and \$11.6 million for interest subsidy grants for pre-1995 projects. For FY 11, it authorized \$630.4 million for projects and \$11.2 million for interest subsidy grants. (**PA 09-3, June Special Session**, and **PA 09-2, September Special Session**, effective on passage for the FY 10 authorizations and July 1, 2010 for the FY 11 authorizations.)

School Construction Project Limits

The legislature enacted two new laws to help control school construction costs. First, for school projects authorized after July 1, 2009 and costing more than \$10 million, an act eliminates state reimbursements for change orders exceeding 5% of the total project cost. Second, the act allows the education commissioner to reject an application for a local school construction project if the project's proposed educational specifications or theme duplicates a program offered at a vocational-technical or

interdistrict magnet school in the same region. **(PA 09-6, September Special Session, effective on passage)**

State Reimbursement for Delayed School Construction Payments

The legislature established a new grant to reimburse school districts for their reasonable costs or lost income related to short-term borrowing for school construction project costs otherwise payable by the state for the time during FY 10 that state bond funds were unavailable to pay those costs. **(PA 09-6, September Special Session, effective on passage)**

CHARTER SCHOOLS

Charter School Grants

For FY 10 and FY 11, an act freezes the state grants for students attending charter schools at \$9,300 per student, the same per-pupil grant the state provided in FY 09. **(PA 09-6, September Special Session, effective on passage)**

Cooperative Arrangements

An act allows state charter schools to enter into cooperative arrangements to the same extent as boards of education, if the education commissioner approves. It specifies that any charter school participating in cooperative arrangements

maintains its status as a state charter school and must meet the obligations of the charter school laws. **(PA 09-1, June 19 Special Session, Effective July 1, 2009)**

Pilot Program at New Haven Charter School

A new act waives statutory charter school attendance requirements and establishes a five-year pilot program requiring students who live within a half-mile radius of a K-8 charter school to be operated in the former Timothy Dwight School building in New Haven to attend the school. The pilot program runs from July 1, 2011 to June 30, 2015. **(PA 09-1, June 19 Special Session, Effective July 1, 2009)**

EARLY CHILDHOOD/SCHOOL READINESS

School Readiness Per-Child Grant

For FY 10 and FY 11, the act freezes the maximum per-child cost of the SDE's school readiness program at the FY 09 level of \$8,346. **(PA 09-6, September Special Session, effective on passage)**

School Readiness Grant Distribution Formula

A new law makes the temporary FY 09 formula for distributing school readiness grants to priority school districts (PSDs) permanent. The formula is based on the number of school readiness slots each district contracts for each year rather than the district's kindergarten enrollment. If total grants are greater than the available appropriation, the education commissioner must reduce the number of additional slots each district requests to stay within the appropriated amount. **(PA 09-6, September Special Session, effective on passage)**

SDE Administrative Set-Aside

The act extends through FY 11, SDE's authority to retain \$198,200 of the PSD school readiness appropriation for coordination, program evaluation, and administration. **(PA 09-6, September Special Session, effective on passage)**

Town Administrative Costs

An act allows SDE, in consultation with the Department of Social Services, to determine the amount each town receives for school readiness program coordination, evaluation, and administration. The amount must be between \$25,000 and \$75,000, based on

the school readiness grant award and the number of operating sites. The amount can be increased by the amount of local funding provided for these functions, up to \$25,000. **(PA 09-6, September Special Session, effective on passage)**

Early Childhood Program Planning and Evaluation and the Early Childhood Information System

An act creates a new Office of Early Childhood Planning within the SDE and requires it to coordinate state services for children from birth to age nine. It also requires enhanced tracking, through the Early Childhood Information System, of (1) children receiving care and education from a board of education or any publicly funded program; (2) the existing and potential workforce for early childhood programs; and (3) early childhood program characteristics. It makes the SDE responsible for giving each child, staff member, and program a unique identifier and requires all publicly funded early childhood education programs or agencies to enter all children and staff in the system. The new office must begin a longitudinal evaluation of the school readiness program by January 1, 2010.

The act also reconstitutes the Early Childhood Cabinet with different membership and duties and requires the agreement

between the education and social services commissioners about their departments' duties regarding school readiness programs to be submitted annually to the legislature. (**PA 09-6, September Special Session**, effective on passage)

FY 09 Funding Reduction

An act to mitigate the FY 09 deficit reduced a General Fund appropriation for early childhood education collaboration with higher education by \$175,000. (**PA 09-2**, effective April 1, 2009)

GRANTS AND FUNDING

Education Cost Sharing Grants

The budget act distributes \$1.9 billion to municipalities for education cost sharing (ECS) grants. It overrides the statutory distribution formula and specifies each town's ECS grant for FY 10 and FY 11. Each town's grant is the same for both years. (**PA 09-3, June Special Session**, effective on passage).

ECS Funds Transferred for Educational Improvement

By law, for FY 08 and FY 09 the comptroller had to withhold the extra 20% minimum budget requirement (MBR) that a district in need of improvement was required to appropriate for education and transfer it to SDE. The education commissioner had

to spend the money on the school district's behalf. Instead of lapsing, a new act carries forward to FY 10 any funds transferred to SDE under this provision that remain unspent on June 30, 2009. The funds remain available for spending in, FY 10 for the same purpose. (**PA 09-6, September Special Session**, effective on passage)

Minimum Budget Requirement (MBR)

The legislature established a new MBR for FY 10 and FY 11 that requires each town receiving an ECS grant to budget at least the same amount for education as it budgeted in FY 09, minus any reduction a town makes in its local budget for education to account for money its local or regional board of education receives directly under the 2009 federal stimulus act. (**PA 09-6, September Special Session**, effective on passage)

Priority School District Grants

The budget act distributes the priority school district (PSD) grant appropriation to the priority school district, school readiness, extended school building hours, and school accountability grant programs. Grant amounts are the same for FY 10 and FY 11.

The education budget implementing act extends the FY 09 PSD allocation to the three largest school districts

(Bridgeport, Hartford, and New Haven) for two additional years and reduces the total annual funding for supplemental PSD grants to reflect the fact that Bristol no longer qualifies for a PSD grant. **(PA 09-3, June Special Session and PA 09-6, September Special Session, effective on passage)**

RESC Lease Grants

An act eliminates a state grant program to assist regional educational service centers (RESCs) with their cost for leasing facilities for use in furnishing educational programs and services. **(PA 09-6, September Special Session, effective on passage)**

FY 10-11 Grants Caps

An act caps several state education formula grants to school districts and RESCs through June 30, 2011 at the amounts appropriated for them grants in the FY 10-11 biennial budget. The act requires that, if the appropriated amounts are not sufficient to fully fund the grants, they must be proportionately reduced. The caps apply to grants for (1) health services for private school students; (2) transportation for public and private school students; (3) adult education; (4) bilingual education programs; (5) RESC operating costs; and (6) special education excess costs, other than costs for state-placed

children receiving special education from a local board of education and for whom no home district can be identified (“no-nexus” children). **(PA 09-6, September Special Session, effective on passage)**

High School Technology Initiative

To mitigate an estimated FY 09 deficit, two acts eliminated a pilot program for using technology to provide computer-assisted writing, instruction, and testing for public school students in grades 6-12. The acts also eliminated a total of \$950,000 in funding for the program for FY 09. **(PA 09-2, effective April 1, 2009 and PA 09-111, effective on passage)**

WACE Technical Training Center

For FY 09 through FY 11, two acts exempt WACE Technical Training Center in Waterbury from statutory requirements for adult education grants and allows it to spend up to \$300,000 of its grant in each year for technical training. **(PA 09-2, and PA 09-3, June Special Session, effective on passage)**

Funding Transfers

Sheff Settlement. An act authorizes the education commissioner to transfer funds appropriated for FY 10 and FY 11 for the *Sheff* settlement in the

state budget to the following to help meet *Sheff* goals: (1) interdistrict cooperative programs, (2) charter school per-student grants, (3) the Open Choice interdistrict school attendance program, (4) interdistrict magnet schools, and (5) technical high schools. **(PA 09-6, September Special Session, effective on passage)**

Birth to Three Program. For FY 10 and FY 11, the budget act requires SDE to annually transfer \$1 million of the federal special education funds it receives to the Department of Developmental Services for the Birth-to-Three Program to carry out special education-related requirements consistent with the federal special education law. **(PA 09-3, June Special Session, effective on passage)**

INTERDISTRICT MAGNET SCHOOLS

Moratorium on New Interdistrict Magnet Schools

Starting July 1, 2009, an act imposes a moratorium on applications for state school construction grants and state operating grants for new interdistrict magnet schools that do not help the state meet the goals of the 2008 *Sheff* settlement. The moratorium lasts until the education commissioner develops a comprehensive statewide magnet school plan. The commissioner must submit the plan to the

Education Committee by January 1, 2011. **(PA 09-6, September Special Session, effective on passage)**

Operating Budget Limit

An act requires the education commissioner to limit annual operating budgets for interdistrict magnet schools receiving state operating grants to no more than 120% of the state's average per-pupil education expenditures for the two fiscal years prior to the grant year. If the grant applicant asks, the commissioner may waive the limit to meet extraordinary programmatic needs. **(PA 09-6, September Special Session, effective on passage)**

Operating Grants

The legislature froze state per-student operating grants for most non-*Sheff* interdistrict magnet schools at FY 09 levels through FY 11, while increasing grants for *Sheff* magnet schools. Two non-*Sheff* magnets also received increased grants for FY 10 and FY 11.

For a non-*Sheff* RESC magnet that began operations for the 1998-99 school year and that, for the 2008-09 school year, enrolled at least 55% but no more than 70% of its students from a single town, the legislature increased the grant for each student from the majority town from \$3,000 to \$4,894. For a non-*Sheff* RESC magnet that began operations for

the 2001-02 school year and that, for the 2008-09 school year, enrolled at least 55% but no more than 80% of its students from a single town, the grant for each student from the majority town was increased from \$3,000 to \$4,250.

For *Sheff* magnets operated by the Hartford school district, the legislature set the grant of for each enrolled student who is not a Hartford resident at \$12,000 for FY 10 and \$13,054 for FY 11. For RESC or other third party-operated *Sheff* magnets that enroll less than 60% of their students from Hartford, the grant is \$9,695 per pupil for FY 10 and \$10,443 for FY 11. **(PA 09-6, September Special Session, effective on passage)**

Supplemental Operating Grants

Before the education commissioner may provide supplemental grants to interdistrict magnet schools a new law requires him to perform a comprehensive financial review of the school's total operating budget, including all revenue and expenditure estimates.

It also allows the commissioner, for FY 10, to provide supplemental grants to the Hartford school district of up to \$1,054 for each student who is not from Hartford who is enrolled in *Sheff* magnet schools the district operates. The supplemental grants to Hartford must be approved by the Office of

Policy and Management secretary and the Finance Advisory Committee. **(PA 09-6, September Special Session, effective on passage)**

Magnet School Tuition

For FY 10 and FY 11, a new act prohibits the Hartford school district from charging tuition to other districts that send their students to its *Sheff* host magnet schools.

The act also increases the minimum tuition that RESC-operated magnet schools must charge to sending districts from 75% to 90% of the difference between the magnet school's average per pupil expenditure the prior fiscal year and its per-pupil state operating grant, plus any revenue from other sources for FY 10, and from 90% to 100% of that difference for FY 11. It bars RESCs from charging tuition that exceeds that difference and allows the commissioner to conduct a comprehensive financial review of the school's operating budget to verify the tuition rate. **(PA 09-6, September Special Session, effective on passage)**

Grants for Transportation to Sheff Magnet Schools

For districts helping to meet *Sheff* goals, a new law raises maximum transportation grant for transporting students to interdistrict magnet schools in a

town other than the one where they live from \$1,300 to \$1,400 per-pupil for FY 10 and \$2,000 for FY 11.

It also allows the education commissioner, within available appropriations, to provide supplemental interdistrict magnet school transportation grants for FY 09 to RESCs, if the commissioner reviews and approves the RESCs' total interdistrict magnet school transportation budget. **(PA 09-6, September Special Session, effective on passage)**

Participation Agreements for Sheff Magnets

An act allows *Sheff* magnet schools that started operating on or after July 1, 2008 to operate indefinitely, instead of only until July 1, 2009, without making participation agreements with other districts. It also specifies that such schools must enroll students through a commissioner-designated lottery, rather than "directly." **(PA 09-6, September Special Session, effective on passage)**

Sheff Magnet School Start-Up Grants

The bond act authorizes an additional \$4 million in state bonding for capital start-up cost grants for new interdistrict magnet schools required under the *Sheff* settlement. It expands the uses for the grants to include purchasing a building.

The act also subjects any building purchased with the grants to an existing requirement that, if a building ceases to be used as an interdistrict magnet school, the education commissioner must determine whether title reverts to the state. **(PA 09-2, September Special Session, effective on passage)**

Notification of Interdistrict Magnet School Placements

Starting by May 15, 2010, a new law requires each interdistrict magnet school operator annually to notify school districts, in writing, of the estimated number of students from those districts who have been placed at the magnet school for the following school year. The notice must include the student's grade, the magnet school name, and the tuition to be charged the district. **(PA 09-1, June 19 Special Session, Effective July 1, 2009)**

ECS Magnet School Reduction

The act eliminates a provision, applicable only for FY 09, reducing each town's ECS student count by 25% of the number of the town's students attending full-time interdistrict magnet schools and for whom the state paid a magnet school operating grant. **(PA 09-6, September Special Session, effective on passage)**

Fund Carryforwards and Transfers

The budget act carries forward to FY 10 the unexpended balance of funds appropriated to SDE for Magnet Schools. The education budget implementing act transfers a \$5 million appropriation to SDE for FY 10 from the Sheff Settlement line item to the Magnet Schools line item. **(PA 09-3, June Special Session and PA 09-6, September Special Session, effective on passage)**

Bloomfield Magnet School

An act extends through FY 11 an exemption for a Bloomfield interdistrict magnet school from statutory provisions (1) limiting the number of students from a participating town to 75% and (2) requiring racial minorities to comprise between 25% and 75% of its student body. It requires the school, by July 1, 2010, to submit a plan to the education commissioner on how it can meet the racial diversity requirements. **(PA 09-6, September Special Session, effective on passage)**

New Magnet Schools at Goodwin College

With certain conditions, an act transfers a previously authorized school construction grant commitment for the new Pathways Magnet School from Hartford to the Board of Trustees

of Goodwin College in East Hartford. It also allows the college to transfer up to \$7 million of a previously authorized grant commitment for the Goodwin College-Connecticut River Academy for Earth and Space Science Magnet School from that project to the Pathways project. Finally, it (1) adds a new early childhood education magnet facility project at Goodwin College to the 2009 priority list, (2) limits the total cost for the early childhood education project to \$16 million, and (3) reduces the authorization for the Goodwin College-Connecticut River Academy for Earth and Space Science Magnet School by the same \$16 million. **(PA 09-6, September Special Session, effective on passage)**

SCHOOL DISTRICTS

Green Cleaning Program in Schools

A new law requires school boards to procure and properly use environmentally preferable cleaning products in their schools by July 1, 2011. These products must (1) meet guidelines or standards set by a national or international certification program the Department of Administrative Services approves in consultation with the environmental protection commissioner and (2) as far as possible, minimize potential harmful effects on human health and the

environment. School districts must provide annual notice of the green cleaning program to staff and, upon request, to parents. (**PA 09-81**, effective October 1, 2009)

Strategic School Profiles

An act requires boards of education to include in their strategic school profiles the number of students enrolled in board of education- or RESC-operated adult high school credit diploma programs. (**PA 09-6, September Special Session**, effective on passage)

Authority to Amend Adopted Local Education Budgets

An act allows certain towns to amend adopted local budgets for FY 10 to reduce their education appropriations by up to the amount of funding their school boards will receive directly from the federal State Fiscal Stabilization Fund (SFSF) program, under the 2009 federal stimulus act. It applies to any town whose fiscal authority failed to account for its board's direct receipt of SFSF funds when passing its municipal budget before June 30, 2009 and overrides any statute, charter, or home rule or other ordinances to the contrary. (**PA 09-1, June 19 Special Session**, Effective July 1, 2009)

Regionalization of Certain School District Services

An act allows boards of education to establish cooperative arrangements to provide special education and health care services and allows SDE to give special consideration to grant applications indicating the use of RESC services or joint purchasing agreements among boards to purchase special education and health care services. (**PA 09-1, June 19 Special Session**, Effective July 1, 2009)

Audits for Recipients of State Financial Assistance

An act increases, from \$100,000 to \$300,000, the amount of fiscal assistance a nonstate entity, such as a school district, can receive from the state before it is subject to the state single audit and related laws. It increases, from \$200,000 to \$1 million, the total amount of annual revenue certain entities must have before they become subject to the audit law. (**PA 09-7, September Special Session**, effective on passage)

Educational Technology Report

An act eliminates the requirement that the Department of Information Technology report annually to the Education Committee on the technical

assistance it must provide to boards of education and technical schools to expand their educational technology capabilities. (**PA 09-143**, effective July 1, 2009)

STUDENT HEALTH, AND SAFETY

Automatic External Defibrillators in Schools

Beginning July 1, 2010, an act requires school boards to have at each school, if funding is available, (1) an automatic external defibrillator (AED) and (2) school staff trained in its use and in cardiopulmonary resuscitation (CPR). School boards may accept donated AEDs under certain conditions along with gifts, donations, and grants for AED acquisition and staff training costs. The act also requires each school to develop emergency action response plans for the appropriate use of school personnel to respond to individuals experiencing sudden cardiac arrest or similar life-threatening emergencies. (**PA 09-94**, effective July 1, 2009)

Use of Asthmatic Inhalers and Epinephrine Auto-Injectors at School

An act requires, rather than allows, SDE to adopt regulations governing medication administration by school personnel and student self-medication and specifies that the

latter must address students using asthmatic inhalers and epipens. It adds licensed athletic trainers employed by school boards to the personnel permitted to administer medication to students under the general supervision of a school nurse.

Finally, the act requires school boards to make their plans for managing students with life-threatening food allergies publicly available on the Internet or otherwise. (**PA 09-155**, effective August 15, 2009)

Crisis Response Drills and Fire Drills

A new law requires, rather than allows, school boards, once every three months, to substitute crisis response drills for the monthly fire drills required in schools under their jurisdiction. It also requires the boards to conduct one of the fire drills no later than 30 days after the first day of each school year.

The act (1) requires the boards to develop the crisis response drill format in consultation with the appropriate local law enforcement agency and (2) allows an agency representative to supervise and participate in the drill. (**PA 09-131**, effective October 1, 2009)

School-Based Child Health Program

An act requires the social services commissioner, beginning with FY 09, to exclude any enhanced federal medical assistance percentages (FMAP) in calculating the federal portion of the Medicaid claims for the School-Based Child Health Program. Before the 2009 federal stimulus legislation, the federal match or FMAP was 50%. The stimulus law temporarily increased the FMAP by 12%, which raised Connecticut's match from 50% to 62%. **(PA 09-5, September Special Session, effective on passage)**

Using Pesticides on School Grounds

An act extends an exception to the ban on applying lawn care pesticides on the grounds of any public or private school with students up to grade eight, except in emergencies to eliminate threats to human health. The exception, the act extends to July 1, 2010 from July 1, 2009, allows K-8 schools to apply lawn care pesticides on their playing fields and playgrounds according to an integrated pest management plan. **(PA 09-56, effective July 1, 2009)**

Sexual Activity Between School Workers and Students and School Superintendents as Mandated Reporters of Child Abuse or Neglect

School employees who have sexual intercourse with students who attend their schools are committing the crime of 2nd degree sexual assault (statutory rape). A new law extends this crime to cover private contractors who have regular contact with students. The same act makes school superintendents mandated child abuse and neglect reporters, thereby requiring them to contact the Department of Children and Families when they reasonably believe a child is a victim of abuse or neglect. **(PA 09-242, effective October 1, 2009)**

School Bus Emission Reduction Program

Towns and school boards must retrofit certain full-size school buses with emissions-reducing equipment by September 1, 2010, if state grants cover the cost of the work. An act specifies that the DAS commissioner may use applicable existing contracts or provide a supplemental bid process for the grants. **(PA 09-1, effective on passage)**

School Safety Grants

An act reduced the FY 09 appropriation for school safety grants from \$3 million to \$1.8 million, required the SDE to transfer that amount to the Department of Emergency Management and Homeland Security (DEMHS) by March 15, 2009, eliminated the requirement that grants be used only to reimburse towns for eligible school safety expenditures already paid, and required the DEMHS to pay all school safety grant awards by April 1, 2009. **(PA 09-1 as amended by PA 09-2, effective on passage)**

Behavioral Analysis Services Study

An act requires the attorney general, in consultation with the education and higher education commissioners, to report to the Education Committee by January 1, 2010 on any investigation performed in Connecticut regarding behavioral analysis services for children with autism spectrum disorder, including an appropriate in-state certifying entity for behavioral analysis services. **(PA 09-1, June 19 Special Session, Effective July 1, 2009)**

TEACHERS AND SCHOOL EMPLOYEES

Teacher Preparation Requirements

A new teacher certification law adds to the training required of candidates seeking certification to teach in Connecticut public schools and who enter teacher preparation programs on or after July 1, 2012. It requires such teacher candidates to complete training in areas established by the State Board of Education's (SBE) professional teaching standards. **(PA 09-1, June 19 Special Session, effective July 1, 2009)**

Alternate Route to Certification Programs

An act broadens the definition of an alternate route to certification (ARC) program. Such programs allow participants to attain teacher certification without completing a regular teacher preparation program. It eliminates the requirement that ARC programs be provided under a contract with an institution of higher education that the Department of Higher Education (DHE) designates and expands the types of entities that can offer such programs to include DHE itself, RESCs, and private teacher or administrator training organizations. **(PA 09-1, June 19 Special Session, Effective July 1, 2009)**

Provisional Educator Certificates

Starting July 1, 2012, a new law allows a provisional certificate holder to use only public school teaching experience to meet the successful teaching experience requirements for a professional certificate. But it allows provisional certificate holders to use private school teaching experience to renew a provisional certificate. Starting July 1, 2016, the act also requires provisional certificate holders to complete 30 credit hours of graduate coursework, instead of 30 hours of graduate or undergraduate coursework beyond the bachelor's degree, to qualify for a professional certificate. **(PA 09-1, June 19 Special Session, Effective July 1, 2009)**

Professional Development

A new law makes several changes in the professional development activities required for teachers to maintain their professional certificates. Starting July 1, 2011, school boards must fully consider priorities relating to student outcome needs as determined by SBE when establishing professional development activities for their certified employees. It also requires each board to establish a professional development committee to, among other things, develop, evaluate, and

annually update the district's professional development plan. **(PA 09-1, June 19 Special Session, effective July 1, 2009)**

Temporary Certificate for Teachers Coming from Out-of-State

The legislature established a new type of temporary certificate that allows a qualified person who holds a valid teaching certificate in another state to be awarded a Connecticut certificate without completing Connecticut's teacher testing requirements if he or she meets certain standards and teaches successfully in Connecticut for one year. The other state's certificate must be (1) at least equivalent to an initial certificate in Connecticut and (2) in the same subject or endorsement area for which the person is seeking Connecticut certification. **(PA 09-1, June 19 Special Session, Effective July 1, 2009)**

Adjunct Instructor Permit for Artists

A new law establishes a three-year, renewable adjunct instructor permit allowing a person with specialized training, experience, or expertise in the arts to teach in certain interdistrict arts magnet high schools for up to 15 classroom instructional hours per week. The permit allows holders to work at (1) any part-time arts magnet high school in existence

on July 1, 2009 and (2) the Cooperative Arts and Humanities Magnet High School (an arts magnet school in New Haven). It also requires SBE to issue a permit without further qualification to anyone who, before July 1, 2009, was employed as a teacher of art, music, dance, theater, or any other subject related to his or her artistic specialty for at least one year at a part-time interdistrict arts magnet high school or the Cooperative Arts and Humanities Magnet High School. **(PA 09-1, June 19 Special Session, Effective July 1, 2009)**

Resident Teacher Certificate

A new law establishes a one-year resident teacher certificate allowing a qualified person to teach in Connecticut while enrolled in an ARC program. It allows the education commissioner, for good cause, to extend the certificate for an additional year at the request of the superintendent of schools of the district that employs the certificate holder. To qualify, a person must have a bachelor's degree, a minimum undergraduate grade point average of 3.0, and pass an SBE-approved subject area test. **(PA 09-1, June 19 Special Session, Effective July 1, 2009)**

Teacher Testing Exemptions and Waivers

An act eliminates the statutory requirement for a candidate to achieve a specific SAT score and pass an English competency test to qualify for a waiver. Instead, it requires SBE to establish waiver criteria. It also exempts from the teacher competency testing requirement any person who (1) holds a valid school administrator certificate in another state that SBE determines is equivalent to an initial educator certificate in Connecticut, (2) is applying for a Connecticut certificate in a school administrator endorsement area, and (3) has three years of successful experience as a school administrator in the 10 years before applying for the administrator certificate.

Finally, starting July 1, 2010, the act requires SBE to allow a person seeking certification to teach in a subject shortage area to substitute an "excellent" score on the appropriate subject area test for regular subject area certification requirements (i.e., coursework requirements and a college major in the subject or a closely related one). SBE must establish the excellent score. **(PA 09-1, June 19 Special Session, Effective July 1, 2009)**

Issuing, Denying, and Revoking Teaching Credentials

An act extends mandatory teacher certificate revocation and a prohibition against issuance or reissuance of such certificates to those convicted of certain crimes to those convicted of (1) criminal attempt to commit a crime and (2) enticing a minor under age 16, through an interactive computer service, to engage in prostitution or sexual activity for which the actor may be charged with a crime. The act also clarifies the deadlines for SBE to hold a requested hearing and issue a written decision when an applicant appeals a denial of his or her application for a teaching certificate, permit, or authorization. **(PA 09-1, June 19 Special Session, Effective July 1, 2009)**

Additional Employment Requirements for Teachers and Student Teachers

An act establishes new requirements for employing teachers and student teachers. It (1) bars a person whose teaching credential has been revoked from any employment in a public school during the revocation period; (2) requires a school board or approved private special education facility to report to the education commissioner when it dismisses for moral misconduct an employee who holds an educator

credential; (3) starting July 1, 2010, requires student teachers working in public schools to undergo criminal background checks; and (4) also starting July 1, 2010, requires a school boards to notify SBE if they receives notice that a student teacher has been convicted of a crime. **(PA 09-1, June 19 Special Session, Effective July 1, 2009)**

Bilingual Educator Certificate

The legislature extended temporary certification requirements for bilingual education teachers for an additional year, until July 1, 2010. The temporary requirements supersede permanent requirements that bilingual education teachers hold dual certification in both bilingual education and either elementary education, if they wish to teach in elementary grades, or a subject area if they wish to teach a subject in secondary grades. **(PA 09-1, June 19 Special Session, Effective July 1, 2009)**

Authority to Grant Certificate Extensions

An act transfers, from SBE to the education commissioner, authority for approving time extensions for provisional or professional certificate holders to meet the requirements for obtaining or maintaining a professional certificate. It limits the duration of any extension to

24 months from the date the provisional or professional certificate expired. (**PA 09-1, June 19 Special Session**, Effective July 1, 2009)

Interstate Teacher Certification Agreements

The legislature repealed the statutory Interstate Agreement on Qualification of Educational Personnel adopted in 1969. Instead, a new law allows the education commissioner or the commissioner's designee to establish or join interstate agreements to foster certification of qualified candidates from other states. It requires any such out-of-state candidates to hold a bachelor's degree from a regionally accredited college or university, meet Connecticut's assessment requirements, and meet any conditions required by the interstate agreement. (**PA 09-1, June 19 Special Session**, Effective July 1, 2009)

Durational Shortage Area Permits for National Teacher Corps Graduates

As of July 1, 2011, a new act sunsets a program allowing qualified graduates of a national teacher corps training program (such as Teach for America) to work under special durational shortage area permits (DSAPs) issued by SBE in certain school districts. Until June 30, 2011, the act also allows those holding such DSAPs to work in state

charter schools in Stamford in addition to public and charter schools in Hartford, New Haven, and Bridgeport. (**PA 09-1, June 19 Special Session**, Effective July 1, 2009)

Occupational Certificates

The legislature repealed an obsolete law allowing anyone employed by a local or regional board of education before July 1, 1977 as an occupational instructor and who held an occupational certificate as of that date to be granted a standard certificate. (**PA 09-1, June 19 Special Session**, Effective July 1, 2009)

Training and Mentorship Program for Beginning Teachers

The legislature established a new teacher education and mentoring (TEAM) program for beginning teachers to start July 1, 2010. The program must be aligned with teaching principles approved by the SBE, include guided teacher support and coaching by teacher mentors, and require beginning teachers to complete five learning modules to help them develop particular teaching skills. Local and regional school districts, RESCs, unions representing certified employees, and public colleges and universities must cooperate with the SDE in developing and administering the program, recruiting and training mentor

teachers, and evaluating and assessing beginning teachers.

The new program replaces the beginning educator support and training (BEST) program, which was repealed under a 2008 law on July 1, 2009. **(PA 09-6, September Special Session, Effective on passage)**

Teacher Certification Fee Increases

The General Assembly raised most state professional and occupational license fees, including those for teacher credentials. **(PA 09-3, June Special Session, as amended by PA 09-6 September Special Session, effective October 1, 2009)**

Substitute Teachers

The legislature eliminated the education commissioner's authority to waive a requirement that substitute teachers hold at least a bachelor's degree. A later act modified the ban to allow substitute teachers who do not hold a bachelor's degree to teach, but only (1) in assignments lasting no more than school days and (2) for the 2009-10 school year. **(PA 09-1, June 19 Special Session, amended by PA 09-6, June Special Session)**

General Fund Contribution to Retired Teachers' Health Insurance

The state budget suspends the statutory requirement that the state General Fund pay one-third of the cost of premiums for the basic Teachers' Retirement Board (TRB) health plan for retired teachers and one-third of the state subsidy for local board of education health plans covering retired teachers. Instead, for FY 10 and FY 11, it requires the Teachers' Other Post Employment Benefits (OPEB) Fund to pay two-thirds of the cost of the basic TRB plan and the full cost of the health subsidy to local boards. The OPEB Teachers' Fund is funded by active teachers, who contribute 1.25% of their annual salary to help fund retiree health insurance. **(PA 09-3, June Special Session, Effective on passage)**

VOCATIONAL-TECHNICAL SCHOOLS AND OCCUPATIONAL TRAINING

Transportation to Hartford Technical High Schools

The education budget implementing act allows the education commissioner, within available appropriations, to provide transportation grants of up to \$2,000 per-pupil to boards of education and RESCs that transport students from outside

of Hartford to Hartford technical high schools to meet the goals of the *Sheff* settlement. The change expands authority the commissioner already had to provide grants to boards of education and RESCs that transport Hartford students out-of-district to technical high schools or regional agricultural science and technology education centers in other towns to help meet *Sheff* goals. **(PA 09-6, September Special Session, effective on passage)**

Transportation for Former Wright Technical High School Students

The budget act establishes a per-pupil reimbursement of \$2,500 for students who previously attended J.M. Wright Technical High School to be bused to Henry Abbot Technical High School in Danbury. **(PA 09-3, June Special Session, effective on passage)**

Pilot Program for Wright Technical High School and Norwalk Community College

By September 1, 2009, an act requires the Board of Trustees of the Community-Technical Colleges to appoint an oversight board and, by January 1, 2010, requires the oversight board, in consultation with other specified entities, to establish a pilot program to allow students to complete courses at J.M. Wright Technical High School for college

credit at Norwalk Community College. The program must coordinate courses between the school and the college and provide students with access to vocational employment or post-secondary education. **(PA 09-1, June 19 Special Session, Effective July 1, 2009)**

Connecticut Career Choices

An act requires the Office of Workforce Competitiveness (OWC) to fund Connecticut Career Choices within available appropriations. Connecticut Career Choices is an OWC initiative to stimulate and develop high school students' interest and skills in science, technology, engineering, and math. **(PA 09-7, September Special Session, effective on passage)**

HIGHER EDUCATION

Master's Degree Credit for TEAM Program Completion

A new act requires the Connecticut State University chancellor, in consultation with interested agencies and groups, to develop a voluntary plan for beginning teachers participating in the new beginning teacher training and mentoring (TEAM) program to receive credit towards a master's degree from one of the Connecticut state universities for successfully completing the five TEAM instructional modules. The chancellor must submit to

plan to the Education and Higher Education committees by January 1, 2011. The plan takes effect on July 1, 2011. (**PA 09-6, September Special Session**, effective on passage)

Connecticut Independent College Student Grant (CICSG) Program Allocation

An act requires DHE to reduce an independent college or university's CICSG allocation by \$500,000 if it returned at least \$500,000 of its funding for FY 09. It requires DHE to compute the CICSG allocation based on the unreduced appropriation. DHE must transfer up to \$500,000 of the set-aside CICSG funds to Opportunities for Veterinary Medicine in FY 10 and FY 11. (**PA 09-3, June Special Session**, as amended by **PA 09-6, September Special Session**, effective on passage)

Higher Education Bond Authorizations

The bond act authorizes \$3.67 million for FY 10 and \$55.13 million in FY 11 for various capital projects for the community college system and individual community colleges. It also expands the purposes of two existing authorizations for the community-technical colleges to include property acquisition. Finally, the act authorizes \$2.5 million for FY 10 to plan, design, and build a new facility for Charter Oak State College. (**PA**

09-2, September Special Session, effective on passage for the FY 10 authorization and July 1, 2010 for the FY 11 authorizations)

Private Occupational School Student Protection Account

Despite statutory restrictions on such spending, the budget act allows DHE to spend \$245,000 in FY 10 and \$257,000 in FY 11 from the private occupational school student protection account. (**PA 09-3, June Special Session**, effective on passage)

Private Occupational School Operating Requirements

An act revises and expands the requirements a private occupational school must meet to operate in the state. It (1) conforms the law to DHE practice by increasing certain fees and establishing new ones that private occupational schools must pay to operate in the state; (2) revises the process for a private occupational school to appeal the DHE commissioner's decision to deny or revoke its authorization or assess an administrative penalty; and (3) prohibits Private Occupational School Student Protection Account funds from being used to refund federal student loans if a school becomes insolvent or ceases operating. (**PA 09-99**, most provisions effective July 1, 2009)

Penalty for Violating Private Occupational School Regulations

An act extends an existing \$500-per-day administrative penalty for violating the private occupational school law to also cover violations of any applicable regulations. (**PA 09-116**, effective October 1, 2009)

Nurses Pursuing Advanced Degrees

An act requires the Board of Trustees of the Community-Technical Colleges to take all feasible steps to maximize available federal funds to establish a nursing program at Northwestern Connecticut Community College. (**PA 09-130**, effective July 1, 2009)

Student Loan Guarantee Program Reserve Fund

An act requires the Connecticut Health and Education Facilities Authority to allocate up to \$3.5 million from its reserves to guarantee qualifying student loans issued by credit unions participating in the Credit Union League of Connecticut (CULC) Student Loan Program. The CULC program offers low-interest loans to students having difficulty obtaining financing for higher education due to (1) restrictive underwriting criteria, (2) reduced access to home equity loans, or

(3) the decreased market value of homes. (**PA 09-110**, effective on passage)

Tuition Waivers for Veterans

An act allows public higher education institutions to recover federal educational assistance payments under the 2008 Post-9/11 Veterans Educational Assistance Act by limiting the state tuition waiver for eligible veterans who apply for these benefits. It (1) requires that the college waive only the tuition charges that exceed the amount of federal benefits granted for tuition and (2) establishes a formula for calculating the federal benefit amount. (**PA 09-159**, effective July 1, 2009)

Charter Oak College and Authority to Award Degrees

An act explicitly authorizes the Board for State Academic Awards to award undergraduate and graduate credits and degrees through courses offered by Charter Oak State College. It also explicitly allows the consulting examiners to make recommendations for awarding undergraduate and graduate credits and degrees. (**PA 09-159**, effective July 1, 2009)

DHE Fund Transfers

An act transfers funds from DHE's FY 10 and FY 11 appropriations for the Alternate Route to Certification (ARC)

program. In each fiscal year, it redirects \$40,000 to DHE's Minority Teacher Incentive program and \$266,754 for FY 10 and \$313,181 for FY 11 to the SDE for regional education services. The funds transferred to SDE must be used for the RESC Minority Recruiting Alliance's study and pilot programs concerning minority teacher recruitment and retention. **(PA 09-6, September Special Session, effective on passage)**

Kirklyn M. Kerr Grant Program

An act designates the DHE grant program for state residents pursuing veterinary medicine degrees as the Kirklyn M. Kerr grant program. **(PA 09-159, effective July 1, 2009)**

Number of Filled Positions at Higher Education Constituent Units

An act exempts the state's higher education constituent units from the budget act's prohibition on any state agency exceeding the number of positions published in the Office of Fiscal Analysis Budget Book for the FY 10-11 biennium, unless the governor recommends it and the Finance Advisory Committee approves. **(PA 09-7, September Special Session, effective on passage)**

Online Learning Program for Inmates

An act requires the corrections commissioner and Charter Oak College Board of Trustees, within available appropriations, to enter a memorandum of agreement by November 1, 2009 to implement an online learning program for inmates focused on (1) completing high school credit requirements, (2) preparing for the general educational development test, and (3) adult high school credit diploma program courses. **(PA 09-7, September Special Session, effective on passage)**

Transfers from Special Accounts to the General Fund

An FY 09 deficit mitigation act transferred the following amounts from special accounts in the DHE to the General Fund: \$579,871 from the Academic Scholars program (ELEET) and \$600,000 from the private occupational school student protection account. **(PA 09-111, effective on passage)**

PUBLIC LIBRARIES

State Operating Grant Criteria

For FY 10 and FY 11, an act suspends a requirement that, for a public library to receive a state library operating grant, its annual tax levy or appropriation

not be reduced below the average amount for the three fiscal years immediately preceding the grant year. (**PA 09-6, September Special Session**, effective on passage)

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