

CABE July 2015

**Regular Session Actions as Amended in
Special Session**

Education Law Summaries

PA 15-5 An Act Concerning The School Security Grant Program.

SUMMARY: This act extends the deadline for school security infrastructure grant applications and awards by one fiscal year, from June 30, 2015 to June 30, 2016. The grants are for developing or improving security infrastructure in schools, based on the results of school building security assessments conducted under the supervision of local law enforcement agencies.

EFFECTIVE DATE: Upon passage

PA 15-17 An Act Concerning A Labor And Free Market Capitalism Curriculum.

SUMMARY: This act requires the State Board of Education, within available appropriations and using available resource materials, to assist and encourage BOE's to include in their curricula (1) labor history and law, including organized labor, the collective bargaining process, and existing legal protections in the workplace; (2) the history and economics of free-market capitalism and entrepreneurialism; and (3) the role of labor and capitalism in developing the American and world economies.

EFFECTIVE DATE: July 1, 2015

PA 15-27 An Act Concerning The Implementation Of A Comprehensive Children's Mental, Emotional And Behavioral Health Plan.

SUMMARY: This act establishes a 34 member Children's Mental, Emotional and Behavioral Health Plan Implementation Advisory Board that shall advise (1) the Departments of Children and Families, Developmental Services, Social Services, Public Health, Mental Health and Addiction Services, and Education, the Insurance Department, the Offices of Early Childhood, the Child Advocate and the Healthcare Advocate, the Court Support Services Division of the Judicial Branch and the Commission on Children, (2) providers of mental, emotional or behavioral health services for children and families, (3) advocates, and (4) others interested in the well-being of children and families in the state regarding: (A) The execution of the comprehensive implementation plan (17a-22bb); (B) cataloging the mental, emotional and behavioral health services offered for families with children in the state by agency, service type and funding allocation to reflect capacity and utilization of services; (C) adopting standard definitions and measurements for the services that are delivered, when applicable; and (D) the collaboration of such agencies, providers, advocates and other stakeholders enumerated in said section in order to prevent or reduce the long-term negative impact of mental, emotional and behavioral health issues on children.

EFFECTIVE DATE: July 1, 2015

PA 15-59 An Act Concerning School-Based Health Centers.

SUMMARY: This act establishes a statutory definition for a “school-based health center” (SBHC) and permits the Department of Public Health (DPH) to adopt regulations to establish minimum quality standards for these centers. Under the act, an SBHC:

1. is located in or on the grounds of a school facility of a school district, school board, Indian tribe, or tribal organization;
2. is organized through school, community, and health provider relationships;
3. is administered by a sponsoring facility (e.g., hospital, health department, community health center, or nonprofit health or human services agency); and
4. provides comprehensive on-site medical and behavioral health services to children and adolescents according to state and local law.

Additionally, the act establishes a statutory definition for an “expanded school health site” and extends to these sites certain statutory provisions regarding SBHCs. Among other things, this means the (1) sites may receive DPH grants for community-based primary care providers, (2) SBHC Advisory Council must advise the DPH commissioner on matters related to the sites, and (3) sites are exempt from DPH's certificate of need requirements.

Under the act, an “expanded school health site” means the same as an SBHC, except that it (1) does not include health centers located in or on the grounds of an Indian tribe or tribal organization and (2) provides either medical or behavioral services, including dental services, counseling, health education, and screening and prevention services.

EFFECTIVE DATE: October 1, 2015

PA 15-93 An Act Concerning Health Care Data Reporting And The Enrollment Of Nonstate Public Employees In The State Employee Health Plan.

SUMMARY: This act requires the comptroller to offer nonstate public employers and their employees and retirees coverage under the state employee health insurance plan. It defines “nonstate public employer” as a municipality or other state political subdivision, including a board of education, quasi-public agency, or public library. A municipality and a board of education may be considered separate employers.

The act requires such nonstate employees to be pooled with the state employee plan as long as their employer's application meets the act's requirements. Current law permits the comptroller to provide insurance to these same employees and employers under another state plan, known as the partnership plan, but it does not pool them with state employees. Thus, the existing law created a separate insurance pool.

Further, the act prohibits the comptroller from admitting nonstate employees into the state employee pool unless the State Employees' Bargaining Agent Coalition (SEBAC) consents to the act's terms and submits this consent to both chambers of the General Assembly.

EFFECTIVE DATE: October 1, 2015, except the sections (1) providing definitions and (2) SEBAC consent are effective upon passage.

PA 15-94 An Act Concerning The Middle School Level And Secondary Level Curriculum.

SUMMARY: This act requires public schools to add the following subject areas to their curriculum beginning in the 2016-17 school year:

1. as part of the health and safety curriculum, (a) cardiopulmonary resuscitation (CPR) training and (b) instruction on the safe use of social media, such as blogs, video blogs, podcasts, instant messaging, and other electronic user-generated content and
2. computer programming instruction.

The act requires that the CPR instruction in public schools be based on American Heart Association guidelines for emergency cardiovascular care, including hands-on training in CPR.

It also allows BOE to accept gifts, grants, and donations (including in-kind donations) to purchase equipment or material needed to provide CPR instruction in public schools.

EFFECTIVE DATE: July 1, 2016, except the provision about gifts, grants, and donations takes effect July 1, 2015.

PA 15-96 An Act Prohibiting Out-of-school Suspensions And Expulsions For Students In Preschool And Grades Kindergarten To Two.

SUMMARY: This act prohibits a BOE from using the following forms of discipline on students in grades kindergarten-2: (1) out-of school suspension and (2) expulsion. It also prohibits BOE, charter schools, and interdistrict magnet schools that enroll preschool students from expelling preschool students. It makes the exception for k-2 students that if during the hearing the administration determines that an out-of-school suspension is appropriate for such pupil based on evidence that such pupil's conduct on school grounds is of a violent or sexual nature that endangers persons.

Under current law, any student enrolled in a school run by a BOE must be expelled for 1 calendar year whenever there is reason to believe that the student:

1. possessed a firearm, deadly weapon, dangerous instrument, or martial arts weapon on school grounds or at a school-sponsored activity;
2. possessed such a firearm, instrument, or weapon in the commission of a crime off school grounds; or
3. offered a controlled substance for sale or distribution on or off school grounds whose manufacture, distribution, sale, prescription, dispensing, transporting, or possessing with intent to sell, dispense, offer, or administer is subject to criminal penalties under state law.

The act retains the mandatory expulsion requirement of the federal Gun-Free Schools Act of 1994 and clarifies that students enrolled in a preschool operated by a board of education are subject to it.

Additionally, the act requires school-based primary mental health programs, to include services for children who have been experiencing behavioral, disciplinary or early school adjustment problems.

EFFECTIVE DATE: July 1, 2015

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

Section 1. Subsection (a) of section 10-233c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

(a) Any local or regional board of education may authorize the administration of the schools under its direction to suspend from school privileges [any] a pupil whose conduct on school grounds or at a school sponsored activity is violative of a publicized policy of such board or is seriously disruptive of the educational process or endangers persons or property or whose conduct off school grounds is violative of such policy and is seriously disruptive of the educational process. In making a determination as to whether conduct is seriously disruptive of the educational process, the administration may consider, but such consideration shall not be limited to: (1) Whether the incident occurred within close proximity of a school; (2) whether other students from the school were involved or whether there was any gang involvement; (3) whether the conduct involved violence, threats of violence or the unlawful use of a weapon, as defined in section 29-38, and whether any injuries occurred; and (4) whether the conduct involved the use of alcohol. Any such board may authorize the administration to suspend transportation services for [any] a pupil whose conduct while awaiting or receiving transportation to and from school endangers persons or property or is violative of a publicized policy of such board. Unless an emergency exists, no pupil shall be

suspended without an informal hearing by the administration, at which such pupil shall be informed of the reasons for the disciplinary action and given an opportunity to explain the situation, provided nothing herein shall be construed to prevent a more formal hearing from being held if the circumstances surrounding the incident so require, and further provided no pupil shall be suspended more than ten times or a total of fifty days in one school year, whichever results in fewer days of exclusion, unless such pupil is granted a formal hearing pursuant to sections 4-176e to 4-180a, inclusive, and section 4-181a. If an emergency situation exists, such hearing shall be held as soon after the suspension as possible.

Sec. 2. Subsection (g) of section 10-233c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

(g) On and after July 1, [2010,] 2015, all suspensions pursuant to this section shall be in-school suspensions, [unless] except a local or regional board of education may authorize the administration of schools under its direction to impose an out-of-school suspension on any pupil in (1) grades three to twelve, inclusive, if, during the hearing held pursuant to subsection (a) of this section, [(1)] (A) the administration determines that the pupil being suspended poses such a danger to persons or property or such a disruption of the educational process that the pupil shall be excluded from school during the period of suspension, or [(2)] (B) the administration determines that an out-of-school suspension is appropriate for such pupil based on evidence of [(A)] (i) previous disciplinary problems that have led to suspensions or expulsion of such pupil, and [(B)] (ii) efforts by the administration to address such disciplinary problems through means other than out-of-school suspension or expulsion, including positive behavioral support strategies, or (2) grades preschool to two, inclusive, if during the hearing held pursuant to subsection (a) of this section, the administration determines that an out-of-school suspension is appropriate for such pupil based on evidence that such pupil's conduct on school grounds is of a violent or sexual nature that endangers persons. An in-school suspension may be served in the school that the pupil attends, or in any school building under the jurisdiction of the local or regional board of education, as determined by such board. Nothing in this section shall limit a person's duty as a mandated reporter pursuant to section 17-101a to report suspected child abuse or neglect.

Sec. 3. Subsection (a) of section 10-233d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

(a) (1) Any local or regional board of education, at a meeting at which three or more members of such board are present, or the impartial hearing board established pursuant to subsection (b) of this section, may expel, subject to the provisions of this subsection, any pupil in grades three to twelve, inclusive, whose conduct on school grounds or at a school-sponsored activity is violative of a publicized policy of such board or is seriously

disruptive of the educational process or endangers persons or property or whose conduct off school grounds is violative of such policy and is seriously disruptive of the educational process, provided a majority of the board members sitting in the expulsion hearing vote to expel and that at least three affirmative votes for expulsion are cast. In making a determination as to whether conduct is seriously disruptive of the educational process, the board of education or impartial hearing board may consider, but such consideration shall not be limited to: (A) Whether the incident occurred within close proximity of a school; (B) whether other students from the school were involved or whether there was any gang involvement; (C) whether the conduct involved violence, threats of violence or the unlawful use of a weapon, as defined in section 29-38, and whether any injuries occurred; and (D) whether the conduct involved the use of alcohol.

(2) Expulsion proceedings pursuant to this section, except as provided in subsection (i) of this section, shall be required for any pupil in grades kindergarten to twelve, inclusive, whenever there is reason to believe that any pupil (A) on school grounds or at a school-sponsored activity, was in possession of a firearm, as defined in 18 USC 921, as amended from time to time, or deadly weapon, dangerous instrument or martial arts weapon, as defined in section 53a-3, (B) off school grounds, did possess such a firearm in violation of section 29-35 or did possess and use such a firearm, instrument or weapon in the commission of a crime under chapter 952, or (C) on or off school grounds, offered for sale or distribution a controlled substance, as defined in subdivision (9) of section 21a-240, whose manufacture, distribution, sale, prescription, dispensing, transporting or possessing with intent to sell or dispense, offering, or administering is subject to criminal penalties under sections 21a-277 and 21a-278. Such a pupil shall be expelled for one calendar year if the local or regional board of education or impartial hearing board finds that the pupil did so possess or so possess and use, as appropriate, such a firearm, instrument or weapon or did so offer for sale or distribution such a controlled substance, provided the board of education or the hearing board may modify the period of expulsion for a pupil on a [case by case] case-by-case basis, and as provided for in subdivision (2) of subsection (c) of this section.

(3) Unless an emergency exists, no pupil shall be expelled without a formal hearing held pursuant to sections 4-176e to 4-180a, inclusive, and section 4-181a, provided whenever such pupil is a minor, the notice required by section 4-177 and section 4-180 shall also be given to the parents or guardian of the pupil. If an emergency exists, such hearing shall be held as soon after the expulsion as possible. The notice shall include information concerning legal services provided free of charge or at a reduced rate that are available locally and how to access such services.

Sec. 4. (NEW) (*Effective July 1, 2015*) (a) As used in this section, "preschool program provider" means a local or regional board of education, state or local charter school or interdistrict magnet school that offers a preschool program.

(b) (1) No preschool program provider shall expel any child enrolled in such provider's preschool program, except an expulsion hearing shall be conducted, in accordance with the provisions of subdivision (2) of this subsection, whenever there is reason to believe that any child enrolled in such preschool program was in possession of a firearm, as defined in 18 USC 921, as amended from time to time, on or off school grounds or at a preschool program-sponsored event. Such child shall be expelled for one calendar year if, at the expulsion hearing it is determined, that the child did so possess such a firearm. A preschool program provider may modify the period of expulsion for a child on a case-by-case basis.

(2) An expulsion hearing required under this subsection shall be conducted by (A) the program provider in accordance with the provisions of this subdivision, (B) a local or regional board of education, in accordance with the provisions of section 10-233d of the general statutes, as amended by this act, if (i) the preschool program provider is a local or regional board of education, or (ii) the preschool program provider is a regional educational service center or a state or local charter school pursuant to an agreement between such preschool program provider and the board of education, or (C) an impartial hearing board established by the preschool program provider, provided (i) no employee of such preschool program provider shall be a member of the impartial hearing board, and (ii) the hearing board shall have the authority to conduct the expulsion hearing and render a final decision in accordance with the provisions of sections 4-176e to 4-180a, inclusive, of the general statutes and section 4-181a of the general statutes. Unless an emergency exists, no child shall be expelled under this subsection without a formal hearing held pursuant to sections 4-176e to 4-180a, inclusive, of the general statutes and section 4-181a of the general statutes, provided the notice required by section 4-177 of the general statutes and section 4-180 of the general statutes shall also be given to the parent or guardian of the child. If an emergency exists, such hearing shall be held as soon after the expulsion as possible. The notice shall include information concerning legal services provided free of charge or at a reduced rate that are available locally and how to access such services.

(c) No preschool program provider may authorize a suspension of a child enrolled in such provider's preschool program, unless the suspension is an in-school suspension.

Sec. 5. Subsection (a) of section 10-76v of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

(a) Early detection and prevention programs funded under the provisions of sections 10-76u to 10-76x, inclusive, as amended by this act, shall include (1) a component for systematic early detection and screening to identify children experiencing behavioral, disciplinary or early school adjustment problems, and (2) services that address such problems for children so identified.

Sec. 6. Subsection (b) of section 10-76u of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

(b) The Commissioner of Education shall solicit grant applications from local and regional boards of education which shall be submitted annually to the commissioner at such time and on such forms as the commissioner prescribes. The commissioner shall issue not less than four grants by September fifteenth of each year. In determining if a board of education shall be granted funds pursuant to this section and sections 10-76v to 10-76x, inclusive, as amended by this act, the commissioner shall consider, but such consideration shall not be limited to, the following factors: (1) Availability in the school and community of professional, paraprofessional, and other program staff with background and experience in early intervention; (2) availability of space to accommodate the program in an elementary school building; (3) demonstration of strong support by administrative personnel, teaching staff, pupil personnel staff and local community mental health centers; [and] (4) reasonable evidence of future stability of the program and its personnel; and (5) the number of children enrolled in grades kindergarten to two, inclusive, in a school under the jurisdiction of such board of education experiencing behavioral, disciplinary or early school adjustment problems.

PA 15-97 An Act Concerning Students With Dyslexia.

SUMMARY: This act makes several changes to state law regarding dyslexia. It requires:

1. the State Department of Education (SDE) to designate an employee to help parents and BOE detect and intervene on behalf of students with dyslexia; and
2. teacher preparation programs (no fewer than 12 clock hours) and in-service training programs to include dyslexia education and training.

The act extends by two years, from January 1, 2014 to January 1, 2016, the deadline for SDE to develop or approve reading assessments, which, among other things, help identify students at risk for dyslexia. It also extends, from February 1, 2013 to February 1, 2016, the deadline for the commissioner to submit the assessments to the Education Committee.

EFFECTIVE DATE: July 1, 2015

PA 15-99 An Act Concerning The Minimum Budget Requirement.

SUMMARY: This act extends, for fiscal years 2016 and 2017, the minimum budget requirement (MBR) for local education spending and provides towns a greater ability to lower their MBR. Under current law, the MBR prohibits a town from budgeting less for

education than it did in the previous year unless, and with limits, the town can demonstrate a (1) decrease in school enrollment or (2) savings through increased efficiencies. If a town receives an increase in state education cost sharing aid, its MBR will increase over the previous year by the amount of the aid increase.

The act affords towns greater ability to lower their MBR by (1) increasing the per-student reduction allowed for decreased enrollment, (2) raising the overall cap on how much a town can reduce its MBR, and (3) removing the limit on how many ways a town can qualify for MBR flexibility. For reductions based on declining enrollment, the act creates a two-tiered mechanism that depends upon the percentage of students eligible for free and reduced price lunch under the federal school lunch law.

The act completely repeals the MBR for school districts that have district performance index (DPI) scores in the top 10% of all districts in the state. Thus, there are no restrictions on these districts' ability to reduce their education budget.

The act prohibits the alliance districts from reducing their MBR. Alliance districts are the 30 school districts with the lowest DPI in the state.

EFFECTIVE DATE: July 1, 2015

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

Section 1. Section 10-262j of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

(a) Except as otherwise provided under the provisions of subsections (c) to (e), inclusive, of this section, for the fiscal year ending June 30, 2016, the budgeted appropriation for education shall be not less than the budgeted appropriation for education for the fiscal year ending June 30, 2015, plus any aid increase described in subsection (d) of section 10-262i, as amended by this act, except that a town may reduce its budgeted appropriation for education for the fiscal year ending June 30, 2016, by one or more of the following:

(1) Any district with (A) a resident student population in which the number of students who are eligible for free or reduced price lunches pursuant to federal law and regulations is equal to or greater than twenty per cent, and (B) a resident student count for October 1, 2014, using the data of record as of January 31, 2015, that is lower than such district's resident student count for October 1, 2013, using the data of record as of January 31, 2015, may reduce such district's budgeted appropriation for education by the difference in the number of resident students for such years multiplied by fifty per cent of the net current expenditures per resident student of such district, provided such reduction shall not exceed one and one-half per cent of the district's budgeted

appropriation for education for the fiscal year ending June 30, 2015, except that the Commissioner of Education may, following a review of a town's proposed reductions to its budgeted appropriation for education, permit a town to reduce its budgeted appropriation for education in an amount greater than one and one-half per cent if the board of education for such town has approved, by vote at a meeting duly called, such proposed reductions;

(2) Any district with (A) a resident student population in which the number of students who are eligible for free or reduced price lunches pursuant to federal law and regulations is less than twenty per cent, and (B) a resident student count for October 1, 2014, using the data of record as of January 31, 2015, that is lower than such district's resident student count for October 1, 2013, using the data of record as of January 31, 2015, may reduce such district's budgeted appropriation for education by the difference in the number of resident students for such years multiplied by fifty per cent of the net current expenditures per resident student of such district, provided such reduction shall not exceed three per cent of the district's budgeted appropriation for education for the fiscal year ending June 30, 2015, except that the Commissioner of Education may, following a review of a town's proposed reductions to its budgeted appropriation for education, permit a town to reduce its budgeted appropriation for education in an amount greater than three per cent if the board of education for such town has approved, by vote at a meeting duly called, such proposed reductions;

(3) Any district (A) that does not maintain a high school and pays tuition to another school district pursuant to section 10-33 for resident students to attend high school in another district, and (B) in which the number of resident students attending high school for such district for October 1, 2014, using the data of record as of January 31, 2015, is lower than such district's number of resident students attending high school for October 1, 2013, using the data of record as of January 31, 2015, may reduce such district's budgeted appropriation for education by the difference in the number of resident students attending high school for such years multiplied by the amount of tuition paid per student pursuant to section 10-33; or

(4) Any district that realizes new and documentable savings through increased district efficiencies approved by the Commissioner of Education or through regional collaboration or cooperative arrangements pursuant to section 10-158a may reduce such district's budgeted appropriation for education in an amount equal to half of the amount of savings experienced as a result of such district efficiencies, regional collaboration or cooperative arrangement, provided such reduction shall not exceed one-half of one per cent of the district's budgeted appropriation for education for the fiscal year ending June 30, 2015.

(b) Except as otherwise provided under the provisions of subsections (c) to (e), inclusive, of this section, for the fiscal year ending June 30, 2017, the budgeted

appropriation for education shall be not less than the budgeted appropriation for education for the fiscal year ending June 30, 2016, plus any aid increase received pursuant to subsection (d) of section 10-262i, as amended by this act, except that a town may reduce its budgeted appropriation for education for the fiscal year ending June 30, 2017, by one or more of the following:

(1) Any district with (A) a resident student population in which the number of students who are eligible for free or reduced price lunches pursuant to federal law and regulations is equal to or greater than twenty per cent, and (B) a resident student count for October 1, 2015, using the data of record as of January 31, 2016, that is lower than such district's resident student count for October 1, 2014, using the data of record as of January 31, 2016, may reduce such district's budgeted appropriation for education by the difference in the number of resident students for such years multiplied by fifty per cent of the net current expenditures per resident student of such district, provided such reduction shall not exceed one and one-half per cent of the district's budgeted appropriation for education for the fiscal year ending June 30, 2016, except that the Commissioner of Education may, following a review of a town's proposed reductions to its budgeted appropriation for education, permit a town to reduce its budgeted appropriation for education in an amount greater than one and one-half per cent if the board of education for such town has approved, by vote at a meeting duly called, such proposed reductions;

(2) Any district with (A) a resident student population in which the number of students who are eligible for free or reduced price lunches pursuant to federal law and regulations is less than twenty per cent, and (B) a resident student count for October 1, 2015, using the data of record as of January 31, 2016, that is lower than such district's resident student count for October 1, 2014, using the data of record as of January 31, 2016, may reduce such district's budgeted appropriation for education by the difference in the number of resident students for such years multiplied by fifty per cent of the net current expenditures per resident student, as defined in subdivision (45) of section 10-262f, as amended by this act, of such district, provided such reduction shall not exceed three per cent of the district's budgeted appropriation for education for the fiscal year ending June 30, 2016, except that the Commissioner of Education may, following a review of a town's proposed reductions to its budgeted appropriation for education, permit a town to reduce its budgeted appropriation for education in an amount greater than three per cent if the board of education for such town has approved, by vote at a meeting duly called, such proposed reductions;

(3) Any district (A) that does not maintain a high school and pays tuition to another school district pursuant to section 10-33 for resident students to attend high school in another district, and (B) in which the number of resident students attending high school for such district for October 1, 2015, using the data of record as of January 31, 2016, is lower than such district's number of resident students attending high school for October

1, 2014, using the data of record as of January 31, 2016, may reduce such district's budgeted appropriation for education by the difference in the number of resident students attending high school for such years multiplied by the amount of tuition paid per student pursuant to section 10-33; or

(4) Any district that realizes new and documentable savings through increased district efficiencies approved by the Commissioner of Education or through regional collaboration or cooperative arrangements pursuant to section 10-158a may reduce such district's budgeted appropriation for education in an amount equal to half of the amount of savings experienced as a result of such district efficiencies, regional collaboration or cooperative arrangement, provided such reduction shall not exceed one-half of one per cent of the district's budgeted appropriation for education for the fiscal year ending June 30, 2015.

(c) For the fiscal years ending June 30, 2016, and June 30, 2017, the Commissioner of Education may permit a town to reduce its budgeted appropriation for education in an amount determined by the commissioner if the school district in such town has permanently ceased operations and closed one or more schools in the school district due to declining enrollment at such closed school or schools in the fiscal years ending June 30, 2013, to June 30, 2016, inclusive.

(d) For the fiscal years ending June 30, 2016, and June 30, 2017, a town designated as an alliance district, as defined in section 10-262u, shall not reduce its budgeted appropriation for education pursuant to this section.

(e) For the fiscal years ending June 30, 2016, and June 30, 2017, the provisions of this section shall not apply to any district that is in the top ten per cent of school districts based on the district performance index, as defined in section 10-262u.

Sec. 2. Section 10-262f of the general statutes is amended by adding subdivision (45) as follows (*Effective July 1, 2015*):

(NEW) (45) "Net current expenditures per resident student" means, in any school year, the net current expenditures, as defined in section 10-261, for such school year divided by the number of resident students in the town for such school year.

Sec. 5. Subsection (b) of section 10-4b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

(b) If, after conducting an inquiry in accordance with subsection (a) of this section, the state board finds that a local or regional board of education has failed or is unable to implement the educational interests of the state in accordance with section 10-4a, as amended by this act, the state board shall (1) require the local or regional board of

education to engage in a remedial process whereby such local or regional board of education shall develop and implement a plan of action through which compliance may be attained, or (2) order the local or regional board of education to take reasonable steps where such local or regional board has failed to comply with subdivision (3) of section 10-4a, as amended by this act. Where a local or regional board of education is required to implement a remedial process pursuant to subdivision (1) of this subsection, upon request of such local or regional board, the state board shall make available to such local or regional board materials and advice to assist in such remedial process. If the state board finds that a local governmental body or its agent is responsible for such failure or inability, the state board may order such governmental body or agent to take reasonable steps to comply with the requirements of section 10-4a, as amended by this act. The state board may not order an increase in the budgeted appropriations for education of such local or regional board of education if such budgeted appropriations are in an amount at least equal to the minimum budget requirement in accordance with section [10-262i] 10-262j, as amended by this act. If the state board finds that the state is responsible for such failure, the state board shall so notify the Governor and the General Assembly.

PA 15-108 An Act Concerning Teacher Certification Requirements For Shortage Areas, Interstate Agreements For Teacher Certification Reciprocity, Minority Teacher Recruitment And Retention And Cultural Competency Instruction.

SUMMARY: This act decreases, from three to two years, the number of years of teaching experience an out-of-state teacher needs to qualify for a professional teacher certificate.

It also:

1. allows teacher shortage area applicants to receive 90-day temporary teacher certificates as the law already allows for those who finish an alternative route to certification (ARC) program;
2. requires the State Department of Education to establish or join interstate agreements to facilitate certification of qualified out-of-state teachers;
3. creates an 11-member minority teacher recruitment task force and requires it to submit its report and recommendations to the Education Committee by February 1, 2016;
4. requires the Office of Higher Education to issue an annual demographics report on candidates enrolled in teacher preparation programs;

5. adds training in cultural competency to the teacher preparation and in-service training laws; and

6. makes minor, technical, and conforming changes to teacher certification law.

EFFECTIVE DATE: July 1, 2015, except the minority teacher recruitment task force section is effective upon passage.

PA 15-112 An Act Concerning Unsubstantiated Allegations Of Abuse Or Neglect By School Employees.

SUMMARY: The act provides that if, upon completion of an investigation of a report that a child has been abused or neglected by a school employee, the DCF Commissioner finds that such abuse or neglect is unsubstantiated, the commissioner shall notify the SDE Commissioner, the employing superintendent, the employing school or school district and the school employee of his or her findings. Upon receipt of such notification, SDE, the employing superintendent and the employing school or school district shall remove any references to the report and investigation from the school employee's personnel records and any other records relating to the employee.

A report that a child has been abused or neglected by a school employee that is found by the DCF Commissioner to be unsubstantiated shall not be used against the school employee for any purpose relating to employment, including, but not limited to, discipline, salary, promotion, transfer, demotion, retention or continuance of employment, termination of employment or any right or privilege relating to employment.

EFFECTIVE DATE: July 1, 2015

PA 15-125 An Act Concerning Recommendations Of The School Nurse Advisory Council.

SUMMARY: This act requires each BOE to maintain a staffing ratio in its school district of at least one school nurse or nurse practitioner for every 750 students. It allows a school nurse or nurse practitioner to provide services to more than one board as long as the minimum staffing ratio is met. By law, boards of education must appoint at least one school nurse or nurse practitioner for their districts.

The act allows a BOE to annually request from the education commissioner a waiver from the staffing ratio requirement. The commissioner may approve the request for one year if she determines that maintaining the staffing ratio would have an adverse impact on students when balanced against the school district's other needs.

Additionally, the act requires each school nurse or nurse practitioner to complete the school nurse orientation program offered by SDE and the Association of School Nurses

of Connecticut within one year of being hired, unless he or she already completed the program.

Under the act, nurses and nurse practitioners must also meet the educational requirements specified in regulations adopted by the State Board of Education (SBE), in consultation with DPH. Current law already requires them to be qualified under SBE regulations.

EFFECTIVE DATE: July 1, 2016

PA 15-133 An Act Concerning Alternative Education.

SUMMARY: This act defines the term "alternative education" as a school or program maintained and operated by a local or regional board of education offered to students in a nontraditional setting that addresses their social, emotional, behavioral, and academic needs. It replaces references to "alternative programs," "alternative school programs," and "alternative high school" in statute that are currently undefined.

The act also allows local and regional boards of education to provide alternative education to students using space in an existing school or by establishing a new school specifically for alternative education.

It also makes the following changes:

1. assigns several new duties to local and regional boards of education, SDE, and the State Board of Education (SBE) relating to alternative education and
2. allows two or more boards of education to form cooperative arrangements to provide alternative education.

EFFECTIVE DATE: July 1, 2015

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

Section 1. (NEW) (*Effective July 1, 2015*) (a) As used in this section, "alternative education" means a school or program maintained and operated by a local or regional board of education that is offered to students in a nontraditional educational setting and addresses the social, emotional, behavioral and academic needs of such students.

(b) A local or regional board of education may provide alternative education to students, in accordance with guidelines established by the State Board of Education pursuant to section 2 of this act. A local or regional board of education may use space in an existing school or establish a new school for the purposes of providing alternative

education to students. Alternative education shall be provided in accordance with the provisions of sections 10-15 and 10-16 of the general statutes and shall be subject to all federal and state laws governing public schools.

(c) Each local and regional board of education shall make available on its Internet web site information relating to alternative education offered under this section, including, but not limited to, the purpose, location, contact information, staff directory and enrollment criteria for such alternative education.

Sec. 2. (NEW) (*Effective July 1, 2015*) (a) The Department of Education shall develop guidelines for the provision of alternative education, as defined in section 1 of this act. Such guidelines shall include, but not be limited to, a description of the purpose and expectations of alternative education, criteria for who is eligible to receive alternative education, criteria for how and when a student may enter or exit alternative education.

(b) The department shall assign an identification code and organization code to each school or program of alternative education provided by a local or regional board of education for purposes of collecting, tracking and monitoring such alternative education in the public school information system, pursuant to section 10-10a of the general statutes.

Sec. 3. Subsection (a) of section 10-220 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

(a) Each local or regional board of education shall maintain good public elementary and secondary schools, implement the educational interests of the state, as defined in section 10-4a, and provide such other educational activities as in its judgment will best serve the interests of the school district; provided any board of education may secure such opportunities in another school district in accordance with provisions of the general statutes and shall give all the children of the school district, including children receiving alternative education, as defined in section 1 of this act, as nearly equal advantages as may be practicable; shall provide an appropriate learning environment for all its students which includes (1) adequate instructional books, supplies, materials, equipment, staffing, facilities and technology, (2) equitable allocation of resources among its schools, (3) proper maintenance of facilities, and (4) a safe school setting; shall, in accordance with the provisions of subsection (f) of this section, maintain records of allegations, investigations and reports that a child has been abused or neglected by a school employee, as defined in section 53a-65, employed by the local or regional board of education; shall have charge of the schools of its respective school district; shall make a continuing study of the need for school facilities and of a long-term school building program and from time to time make recommendations based on such study to the town; shall adopt and implement an indoor air quality program that provides for ongoing maintenance and facility reviews necessary for the maintenance

and improvement of the indoor air quality of its facilities; shall adopt and implement a green cleaning program, pursuant to section 10-231g, that provides for the procurement and use of environmentally preferable cleaning products in school buildings and facilities; on and after July 1, 2011, and triennially thereafter, shall report to the Commissioner of Administrative Services on the condition of its facilities and the action taken to implement its long-term school building program, indoor air quality program and green cleaning program, which report the Commissioner of Administrative Services shall use to prepare a triennial report that said commissioner shall submit in accordance with section 11-4a to the joint standing committee of the General Assembly having cognizance of matters relating to education; shall advise the Commissioner of Administrative Services of the relationship between any individual school building project pursuant to chapter 173 and such long-term school building program; shall have the care, maintenance and operation of buildings, lands, apparatus and other property used for school purposes and at all times shall insure all such buildings and all capital equipment contained therein against loss in an amount not less than eighty per cent of replacement cost; shall determine the number, age and qualifications of the pupils to be admitted into each school; shall develop and implement a written plan for minority staff recruitment for purposes of subdivision (3) of section 10-4a; shall employ and dismiss the teachers of the schools of such district subject to the provisions of sections 10-151 and 10-158a, as amended by this act; shall designate the schools which shall be attended by the various children within the school district; shall make such provisions as will enable each child of school age residing in the district to attend some public day school for the period required by law and provide for the transportation of children wherever transportation is reasonable and desirable, and for such purpose may make contracts covering periods of not more than five years; may [place in an] provide alternative [school program] education, in accordance with the provisions of section 1 of this act, or [other] place in another suitable educational program a pupil enrolling in school who is nineteen years of age or older and cannot acquire a sufficient number of credits for graduation by age twenty-one; may arrange with the board of education of an adjacent town for the instruction therein of such children as can attend school in such adjacent town more conveniently; shall cause each child five years of age and over and under eighteen years of age who is not a high school graduate and is living in the school district to attend school in accordance with the provisions of section 10-184, and shall perform all acts required of it by the town or necessary to carry into effect the powers and duties imposed by law.

Sec. 4. Subsection (c) of section 10-220 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

(c) Annually, each local and regional board of education shall submit to the Commissioner of Education a strategic school profile report for each school and school or program of alternative education, as defined in section 1 of this act, under its

jurisdiction and for the school district as a whole. The superintendent of each local and regional school district shall present the profile report at the next regularly scheduled public meeting of the board of education after each November first. The profile report shall provide information on measures of (1) student needs, (2) school resources, including technological resources and utilization of such resources and infrastructure, (3) student and school performance, including truancy, (4) the number of students enrolled in an adult high school credit diploma program, pursuant to section 10-69, operated by a local or regional board of education or a regional educational service center, (5) equitable allocation of resources among its schools, (6) reduction of racial, ethnic and economic isolation, and (7) special education. For purposes of this subsection, measures of special education include (A) special education identification rates by disability, (B) rates at which special education students are exempted from mastery testing pursuant to section 10-14q, (C) expenditures for special education, including such expenditures as a percentage of total expenditures, (D) achievement data for special education students, (E) rates at which students identified as requiring special education are no longer identified as requiring special education, (F) the availability of supplemental educational services for students lacking basic educational skills, (G) the amount of special education student instructional time with nondisabled peers, (H) the number of students placed out-of-district, and (I) the actions taken by the school district to improve special education programs, as indicated by analyses of the local data provided in subparagraphs (A) to (H), inclusive, of this subdivision. The superintendent shall include in the narrative portion of the report information about parental involvement and if the district has taken measures to improve parental involvement, including, but not limited to, employment of methods to engage parents in the planning and improvement of school programs and methods to increase support to parents working at home with their children on learning activities. For purposes of this subsection, measures of truancy include the type of data that is required to be collected by the Department of Education regarding attendance and unexcused absences in order for the department to comply with federal reporting requirements and the actions taken by the local or regional board of education to reduce truancy in the school district. Such truancy data shall be considered a public record for purposes of chapter 14.

Sec. 5. Subsection (a) of section 10-158a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

(a) Any two or more boards of education may, in writing, agree to establish cooperative arrangements to provide school accommodations services, programs or activities, special education services, [or] health care services or alternative education, as defined in section 1 of this act, to enable such boards to carry out the duties specified in the general statutes. Such arrangements may include the establishment of a committee to supervise such programs, the membership of the committee to be determined by the

agreement of the cooperating boards. Such committee shall have the power, in accordance with the terms of the agreement, to (1) apply for, receive directly and expend on behalf of the school districts which have designated the committee an agent for such purpose any state or federal grants which may be allocated to school districts for specified programs, the supervision of which has been delegated to such committee, provided such grants are payable before implementation of any such program or are to reimburse the committee pursuant to subsection (d) of this section for transportation provided to a school operated by a cooperative arrangement; (2) receive and disburse funds appropriated to the use of such committee by the cooperating school districts, the state or the United States, or given to the committee by individuals or private corporations; (3) hold title to real or personal property in trust, or as otherwise agreed to by the parties, for the appointing boards; (4) employ personnel; (5) enter into contracts; and (6) otherwise provide the specified programs, services and activities. Teachers employed by any such committee shall be subject to the provisions of the general statutes applicable to teachers employed by the board of education of any town or regional school district. For purposes of this section, the term "teacher" shall include each professional employee of a committee below the rank of superintendent who holds a regular certificate issued by the State Board of Education and who is in a position requiring such certification.

Sec. 6. Subsection (b) of section 10-4p of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

(b) Prior to developing the plan, the State Board of Education shall conduct a state-wide assessment of the disparities among local and regional school districts and make comparisons to relevant national standards or regional accreditation standards, in the areas of: (1) Resources, including educational materials, supplies, equipment, textbooks, library materials, facilities and expenditures by category and in total; (2) staff, including the education and experience of teachers, staff-student ratios, the racial and ethnic characteristics of staff, minority staff recruitment and a comparison of the racial diversity of school staffs to the racial diversity of the region where the school is located; (3) program and curriculum, including course offerings, requirements, enrollments in advanced, special and compensatory education, programs and services to students with limited English proficiency and an analysis of such programs and services in terms of the recommendations of the bilingual education task force, policies on student assignment and promotion, extracurricular activities and student participation, goals and objectives and content and performance standards, opportunities for summer school, school-to-career transition, [alternative programs,] alternative education, as defined in section 1 of this act, alternative educational opportunities, and parent-student choice of school or program; (4) student achievement, including the effect of social promotional policies on student achievement, state and national assessments, dropout rates, attendance, graduation follow-up data, artistic, athletic and community

service accomplishments, other documentation of student success, and success in reducing the racial, ethnic and economic isolation of students; and (5) community involvement, including parent and family contact with the school and teachers, business partnerships, joint programs with community agencies, town-wide preschool coordination, opportunities for adult basic education and parenting education.

Sec. 7. Subsection (c) of section 10-223h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

(c) Following the establishment of a turnaround committee, the Department of Education shall conduct, in consultation with the local or regional board of education for a school selected to participate in the commissioner's network of schools, the school governance council for such school and such turnaround committee, an operations and instructional audit, as described in subparagraph (A) of subdivision (2) of subsection (e) of section 10-223e, for such school. Such operations and instructional audit shall be conducted pursuant to guidelines issued by the department and shall determine the extent to which the school (1) has established a strong family and community connection to the school; (2) has a positive school environment, as evidenced by a culture of high expectations, a safe and orderly workplace, and that address other nonacademic factors that impact student achievement, such as students' social, emotional, arts, cultural, recreational and health needs; (3) has effective leadership, as evidenced by the school principal's performance appraisals, track record in improving student achievement, ability to lead turnaround efforts, and managerial skills and authority in the areas of scheduling, staff management, curriculum implementation and budgeting; (4) has effective teachers and support staff as evidenced by performance evaluations, policies to retain staff determined to be effective and who have the ability to be successful in the turnaround effort, policies to prevent ineffective teachers from transferring to the schools, and job-embedded, ongoing professional development informed by the teacher evaluation and support programs that are tied to teacher and student needs; (5) uses time effectively as evidenced by the redesign of the school day, week, or year to include additional time for student learning and teacher collaboration; (6) has a curriculum and instructional program that is based on student needs, is research-based, rigorous and aligned with state academic content standards, and serves all children, including students at every achievement level; and (7) uses evidence to inform decision-making and for continuous improvement, including by providing time for collaboration on the use of data. Such operations and instructional audit shall be informed by an inventory of the following: (A) Before and after school programs, (B) any school-based health centers, family resource centers or other community services offered at the school, including, but not limited to, social services, mental health services and parenting support programs, (C) whether scientific research-based interventions are being fully implemented at the school, (D) resources for scientific research-based interventions during the school year and summer school programs, (E)

resources for gifted and talented students, (F) the length of the school day and the school year, (G) summer school programs, (H) [the alternative high school] alternative education, as defined in section 1 of this act, if any, [available] offered to students at the school, (I) the number of teachers employed at the school and the number of teachers who have left the school in each of the previous three school years, (J) student mobility, including the number of students who have been enrolled in and left the school, (K) the number of students whose primary language is not English, (L) the number of students receiving special education services, (M) the number of truants, (N) the number of students who are eligible for free or reduced price lunches, (O) the number of students who are eligible for HUSKY Plan, Part A, (P) the curricula used at the school, (Q) the reading curricula and programs for kindergarten to grade three, inclusive, if any, at the school, (R) arts and music programs offered at the school, (S) physical education programs offered and periods for recess or physical activity, (T) the number of school psychologists at the school and the ratio of school psychologists to students at the school, (U) the number of social workers at the school and the ratio of social workers to students at the school, (V) the teacher and administrator performance evaluation program, including the frequency of performance evaluations, how such evaluations are conducted and by whom, the standards for performance ratings and follow-up and remediation plans and the aggregate results of teacher performance evaluation ratings conducted pursuant to section 10-151b and any other available measures of teacher effectiveness, (W) professional development activities and programs, (X) teacher and student access to technology inside and outside of the classroom, (Y) student access to and enrollment in mastery test preparation programs, (Z) the availability of textbooks, learning materials and other supplies, (AA) student demographics, including race, gender and ethnicity, (BB) chronic absenteeism, and (CC) preexisting school improvement plans, for the purpose of (i) determining why such school improvement plans have not improved student academic performance, and (ii) identifying governance, legal, operational, staffing or resource constraints that contributed to the lack of student academic performance at such school and should be addressed, modified or removed for such school to improve student academic performance.

PA 15-134 An Act Concerning Early Childhood Educators And Initiatives.

SUMMARY: This act makes a number of changes in various early childhood education statutes. It requires:

- local or regional boards of education and regional education service centers operating preschool magnet programs, as well as state or local charter school governing councils offering preschool programs, to obtain National Association for the Education of Young Children (NAEYC) program accreditation beginning in the 2017-18 school year (§ 2);

- local and regional boards of education to include OEC's preschool experience survey in its kindergarten registration materials (§ 6); and
- "grandfathering" certain school readiness staff into stricter staff qualifications until June 30, 2025 (§ 8).

The act also (1) extends by two years, from July 1, 2015 to 2017, the deadline by which certain school readiness staff must meet the first phase of heightened staff qualifications and (2) allows OEC to provide funding, within available appropriations, to local and regional early childhood councils for local implementation of early care and education and child development programs (§ 3).

EFFECTIVE DATE: July 1, 2015, except the provisions (1) on OEC's plan to help early childhood program providers meet new staff qualifications, (2) postponing stricter school readiness staff qualifications, and (3) grandfathering school readiness staff are effective upon passage.

PA 15-137 An Act Implementing The Recommendations Of The Achievement Gap Task Force Concerning The Creation Of A Director Of Reading Initiatives At The Department Of Education.

SUMMARY: This act creates a director of reading initiatives position in the SDE to:

1. administer the intensive reading instruction program to (a) improve literacy in grades k-3 and (b) close the achievement gap;
2. assist with the development and administration of a teacher and principal professional development program about scientifically-based reading research and instruction;
3. administer the coordinated statewide reading plan for students in grades k-3;
4. administer the reading incentive program;
5. assist BOE in (a) administering reading assessments and (b) implementing school district reading plans;
6. provide information on and assistance with reading and literacy to parents and guardians;
7. address English language learner reading and literacy issues; and
8. develop and administer any other statewide reading and literacy initiatives for grades k-12.

EFFECTIVE DATE: July 1, 2015

PA 15-138 An Act Concerning Financial Literacy Education.

SUMMARY: This act broadens the topics that must be included in the financial literacy instruction plan, which by law, the Department of Education (SDE), Board of Regents for Higher Education (BOR), and UConn Board of Trustees (BOT) may develop. Under existing law, the plan must include the impact of using credit and debit cards. Under the act, it must also include banking, investing, savings, and the handling of personal finance matters.

Under existing law, the State Board of Education, within available appropriations and using available material, must assist and encourage school districts to provide courses in personal financial management. Under the act, this includes any financial literacy instruction plan SDE, BOR, and UConn BOT develop.

EFFECTIVE DATE: October 1, 2015

PA 15-141 An Act Concerning Seclusion And Restraint In Schools.

SUMMARY: This act explicitly extends laws on restraint and seclusion to most public school students in grades K through 12. Currently, these laws apply predominantly to students receiving special education services.

The act prohibits teachers, administrators, and other public school employees from using life-threatening physical restraints on any student, limits how long students can be kept in allowable physical restraints or seclusion, and specifies the types of locations in which a student may be secluded.

It bars school employees from using physical restraints on students or placing students in seclusion, unless the employees have been properly trained, and requires school boards to develop policies and procedures to (1) provide this training and (2) establish monitoring and internal reporting of the use of physical restraints and seclusion. It requires training for school professionals, paraprofessionals, and administrators to be phased in over three years, (it excludes coaches, substitutes teachers and superintendents) beginning with the July 1, 2015 school year.

It requires school boards to notify parents and guardians no later than 24 hours after a child has been placed in physical restraint or in seclusion, and to make a reasonable effort to notify them immediately after beginning the physical restraint or seclusion.

It requires a BOE to take certain steps for students placed in physical restraint or seclusion 4 or more times in 20 school days. The act includes a student's parent or guardian in meetings to conduct or revise behavioral assessments, and creates a pilot

program to compile and analyze data on incidents of physical restraint or seclusion.

The act also (1) requires a BOE to identify, by July 1, 2015, crisis intervention teams to respond to incidents of physical restraint or seclusion; (2) adds reporting requirements; (3) requires the State Board of Education (SBE) to adopt or revise regulations on the use of physical restraint and seclusion.

The act does not limit the justified use of physical force by local, state, or federal law enforcement officials performing their duties.

EFFECTIVE DATE: July 1, 2015

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

Section 1. (NEW) (*Effective July 1, 2015*) (a) For purposes of this section:

(1) "Life-threatening physical restraint" means any physical restraint or hold of a person that (A) restricts the flow of air into a person's lungs, whether by chest compression or any other means, or (B) immobilizes or reduces the free movement of a person's arms, legs or head while the person is in the prone position;

(2) "Psychopharmacologic agent" means any medication that affects the central nervous system, influencing thinking, emotion or behavior;

(3) "Physical restraint" means any mechanical or personal restriction that immobilizes or reduces the free movement of a person's arms, legs or head. The term does not include: (A) Briefly holding a person in order to calm or comfort the person; (B) restraint involving the minimum contact necessary to safely escort a person from one area to another; (C) medical devices, including, but not limited to, supports prescribed by a health care provider to achieve proper body position or balance; (D) helmets or other protective gear used to protect a person from injuries due to a fall; or (E) helmets, mitts and similar devices used to prevent self-injury when the device is (i) part of a documented treatment plan or individualized education program pursuant to section 10-76d of the general statutes, as amended by this act, or (ii) prescribed or recommended by a medical professional, as defined in section 38a-976 of the general statutes, and is the least restrictive means available to prevent such self-injury;

(4) "School employee" shall have the same meaning as provided in subsection (b) of section 10-221o of the general statutes;

(5) "Seclusion" means the involuntary confinement of a student in a room, whether alone or with supervision, in a manner that prevents the student from leaving; and

(6) "Student" means a child (A) enrolled in grades kindergarten to twelve, inclusive, in a public school under the jurisdiction of a local or regional board of education, (B) receiving special education and related services in an institution or facility operating under contract with a local or regional board of education pursuant to subsection (d) of section 10-76d of the general statutes, (C) enrolled in a program or school administered by a regional education service center established pursuant to section 10-66a of the general statutes, or (D) receiving special education and related services from an approved private special education program, but shall not include any child receiving educational services from (i) Unified School District #2, established pursuant to section 17a-37 of the general statutes, or (ii) the Department of Mental Health and Addiction Services.

(b) No school employee shall use a physical restraint on a student except as an emergency intervention to prevent immediate or imminent injury to the student or to others, provided the restraint is not used for discipline or convenience and is not used as a substitute for a less restrictive alternative.

(c) No school employee shall use a life-threatening physical restraint on a student. This section shall not be construed as limiting any defense to criminal prosecution for the use of deadly physical force that may be available under sections 53a-18 to 53a-22, inclusive, of the general statutes.

(d) No school employee shall place a student in seclusion except as an emergency intervention to prevent immediate or imminent injury to the student or to others, provided the seclusion is not used for discipline or convenience and is not used as a substitute for a less restrictive alternative. No student shall be placed in seclusion unless (1) such student is monitored by a school employee during the period of such student's seclusion pursuant to subsection (m) of this section, and (2) the area in which such student is secluded is equipped with a window or other fixture allowing such student a clear line of sight beyond the area of seclusion.

(e) No school employee may use a psychopharmacologic agent on a student without that student's consent except (1) as an emergency intervention to prevent immediate or imminent injury to the student or to others, or (2) as an integral part of the student's established medical or behavioral support or educational plan, as developed consistent with section 17a-543 of the general statutes or, if no such plan has been developed, as part of a licensed practitioner's initial orders. The use of psychopharmacologic agents, alone or in combination, may be used only in doses that are therapeutically appropriate and not as a substitute for other appropriate treatment.

(f) If any instance of physical restraint or seclusion of a student otherwise permissible under subsection (b) or (d) of this section exceeds fifteen minutes, (1) an administrator, as defined in section 10-144e of the general statutes, or such administrator's designee,

(2) a school health or mental health personnel, as defined in subsection (a) of section 10-212b of the general statutes, or (3) a board certified behavioral analyst, who has received training in the use of physical restraint and seclusion pursuant to subsection (o) of this section, shall determine whether continued physical restraint or seclusion is necessary to prevent immediate or imminent injury to the student or to others. Upon a determination that such continued physical restraint or seclusion is necessary, such individual shall make a new determination every thirty minutes thereafter regarding whether such physical restraint or seclusion is necessary to prevent immediate or imminent injury to the student or to others.

(g) In the event that physical restraint or seclusion is used on a student four or more times within twenty school days:

(1) An administrator, one or more of such student's teachers, a parent or guardian of such student and, if any, a mental health professional, as defined in section 10-76t of the general statutes, shall convene for the purpose of (A) conducting or revising a behavioral assessment of the student, (B) creating or revising any applicable behavioral intervention plan, and (C) determining whether such student may require special education pursuant to section 10-76ff of the general statutes; or

(2) If such student is a child requiring special education, as described in subparagraph (A) of subdivision (5) of section 10-76a of the general statutes, or a child being evaluated for eligibility for special education pursuant to section 10-76d of the general statutes, as amended by this act, and awaiting a determination, such student's planning and placement team shall convene for the purpose of (A) conducting or revising a behavioral assessment of the student, and (B) creating or revising any applicable behavioral intervention plan, including, but not limited to, such student's individualized education plan.

(h) Each local or regional board of education shall notify a parent or guardian of a student who is placed in physical restraint or seclusion not later than twenty-four hours after the student was placed in physical restraint or seclusion and shall make a reasonable effort to provide such notification immediately after such physical restraint or seclusion is initiated.

(i) No school employee shall use a physical restraint on a student or place a student in seclusion unless such school employee has received training on the proper means for performing such physical restraint or seclusion pursuant to subsection (o) of this section.

(j) (1) On and after July 1, 2016, each local or regional board of education, and each institution or facility operating under contract with a local or regional board of education pursuant to subsection (d) of section 10-76d of the general statutes that

provides special education for children, including any approved private special education program, shall (A) record each instance of the use of physical restraint or seclusion on a student, (B) specify whether the use of seclusion was in accordance with an individualized education program, (C) specify the nature of the emergency that necessitated the use of such physical restraint or seclusion, and (D) include such information in an annual compilation on its use of such restraint and seclusion on students. Each local or regional board of education and such institutions or facilities operating under contract with a local or regional board of education pursuant to subsection (d) of section 10-76d of the general statutes that provides special education for children, including any approved private special education program shall provide such annual compilation to the Department of Education for the purposes of the pilot program established pursuant to subdivision (2) of this subsection to examine incidents of physical restraint and seclusion in schools and to the State Board of Education for the purposes of subsection (k) of this section. Local or regional boards of education and such institutions and facilities that provide special education for children shall not be required to report instances of in-school suspensions, as defined in subsection (c) of section 10-233a of the general statutes.

(2) The Department of Education shall establish a pilot program for the school year commencing July 1, 2015. Such pilot program shall be implemented in various districts, including, but not limited to, an alliance district, a regional school district and a regional education service center. Under the pilot program, the Department of Education shall examine incidents of physical restraint and seclusion in schools and shall compile and analyze data regarding such incidents to enable the department to better understand and respond to incidents of physical restraint and seclusion on students in the state.

(k) The State Board of Education shall review the annual compilation of each local or regional board of education, and each institution or facility operating under contract with a local or regional board of education pursuant to subsection (d) of section 10-76d of the general statutes that provides special education for children, including any approved private special education program, and shall produce an annual summary report specifying (1) the frequency of use of physical restraint or seclusion on students, (2) whether any student subjected to such restraint or seclusion was a special education student, and (3) if any such student was a special education student, whether the use of such seclusion was in accordance with an individualized education program or whether the use of such seclusion was an emergency intervention to prevent immediate or imminent injury to the student or to others. Such report shall be submitted not later than January 15, 2017, and annually thereafter, to the joint standing committees of the General Assembly having cognizance of matters relating to children and education for inclusion in the annual report card prepared pursuant to section 2-53m of the general statutes.

(l) Any use of physical restraint or seclusion on a student shall be documented in the student's educational record. The documentation shall include (1) the nature of the emergency and what other steps, including attempts at verbal deescalation, were taken to prevent the emergency from arising if there were indications that such an emergency was likely to arise, and (2) a detailed description of the nature of the restraint or seclusion, the duration of such restraint or seclusion and the effect of such restraint or seclusion on the student's established educational plan.

(m) Any student who is physically restrained shall be continually monitored by a school employee. Any student who is involuntarily placed in seclusion shall be frequently monitored by a school employee. Each student so restrained or in seclusion shall be regularly evaluated by a school employee for indications of physical distress. The school employee conducting the evaluation shall enter each evaluation in the student's educational record. For purposes of this subsection, "monitor" means (1) direct observation, or (2) observation by way of video monitoring within physical proximity sufficient to provide aid as may be needed.

(n) If the use of such restraint or seclusion results in physical injury to the student, the local or regional board of education, and each institution or facility operating under contract with a local or regional board of education pursuant to subsection (d) of section 10-76d of the general statutes that provides special education for children, including any approved private special education program, shall report the incident to the State Board of Education, which shall include such incident in the report required pursuant to subsection (k) of this section. The State Board of Education shall report any incidence of serious injury or death to the director of the Office of Protection and Advocacy for Persons with Disabilities and, if appropriate, to the Child Advocate of the Office of Child Advocate.

(o) (1) Each local or regional school district shall provide training to school professionals, paraprofessional staff members and administrators regarding physical restraint and seclusion of students. Such training shall be phased in over a period of three years beginning with the school year commencing July 1, 2015, and shall include, but not be limited to:

(A) An overview of the relevant laws and regulations regarding the use of physical restraint and seclusion on students. Such overview shall be provided by the Department of Education to all school professionals, paraprofessional staff members and administrators on or after July 1, 2015, and annually thereafter, in a manner and form as prescribed by the Commissioner of Education;

(B) The creation of a plan by which each local or regional board of education shall provide school professionals, paraprofessional staff members and administrators with training and professional development regarding the prevention of incidents requiring

physical restraint or seclusion of students. Such plan shall be implemented not later than July 1, 2017, and shall include a provision to require the training of all school professionals, paraprofessional staff members and administrators in the prevention of such incidents not later than July 1, 2019. The Department of Education may, within available appropriations, provide ongoing monitoring and support to local or regional boards of education regarding the formulation and implementation of the plan; and

(C) The creation of a plan by which each local or regional board of education shall provide school professionals, paraprofessional staff members and administrators with training and professional development regarding the proper means of physically restraining or secluding a student, including, but not limited to, (i) various types of physical restraint and seclusion; (ii) the differences between life-threatening physical restraint and other varying levels of physical restraint; (iii) the differences between permissible physical restraint and pain compliance techniques; and (iv) monitoring methods to prevent harm to a student who is physically restrained or in seclusion. Such plan shall be implemented not later than July 1, 2017, and shall include a provision to require the training of all school professionals, paraprofessional staff members and administrators in the proper means of physically restraining or secluding a student not later than July 1, 2019 and periodically thereafter as prescribed by the Commissioner of Education;

(2) Not later than July 1, 2015, and each school year thereafter, each local or regional board of education shall require each school in the district to identify a crisis intervention team consisting of school professionals, paraprofessional staff members and administrators who have been trained in the use of physical restraint and seclusion pursuant to subparagraph (C) of subdivision (1) of this subsection or chapter 814e of the general statutes. Such teams shall respond to any incident in which the use of physical restraint or seclusion may be necessary as an emergency intervention to prevent immediate or imminent injury to a student or to others. Each member of the crisis intervention team shall be recertified in the use of physical restraint and seclusion pursuant to subparagraph (C) of subdivision (1) of this subsection or chapter 814e of the general statutes on an annual basis.

(p) Each local or regional board of education shall develop policies and procedures that establish monitoring and internal reporting of the use of physical restraint and seclusion on students and shall make such policies and procedures available on such local or regional board of education's Internet web site and in such local or regional board of education's procedures manual.

(q) Nothing in this section shall be construed as limiting the justified use of physical force by a local, state or federal law enforcement official while in the performance of such official's duties.

(r) The State Board of Education shall adopt or revise regulations, in accordance with the provisions of chapter 54 of the general statutes, concerning the use of physical restraint and seclusion pursuant to this section. Not later than sixty days after the adoption or revision of such regulations, each local or regional board of education shall update any applicable policies and procedures regarding the physical restraint and seclusion of students and shall make such updated policies and procedures available in a manner consistent with the provisions of subsection (p) of this section.

PA 15-145 An Act Concerning The Collection And Reporting Of Data Relating To Special Education Expenditures.

SUMMARY: This act requires, beginning July 15, 2016, each BOE to annually report to the SDE on its special education expenditures for the prior fiscal year. The report must include at least:

1. the board of education's total expenditures for special education,
2. such spending as a percentage of total school district expenditures, and
3. individual expenditures for each child requiring special education who is under the board's jurisdiction.

The act exempts these annual reports from the Freedom of Information Act (FOIA), except for any report contents that a strategic school profile report might also contain. School profile reports are public records.

It also requires SDE, annually by October 1, to submit to the Education Committee a disaggregated data report detailing local and regional board of education special education expenditures for the prior fiscal year. The report must include, at least, a breakdown of the total number of special education students in each district whose per-pupil educational cost to the district exceeds the "net current expenditures per resident student" multiplied by (1) two, (2) two and a half, (3) three, (4) three and a half, (5) four, and (6) four and a half.

EFFECTIVE DATE: July 1, 2015

PA 15-168 An Act Concerning Collaboration Between Boards Of Education And School Resource Officers And The Collection And Reporting Of Data On School-based Arrests. (as amended by SB 1502)

SUMMARY: This act requires a local or regional school board that assigns a sworn police officer to a school (i.e., school resource officer) to enter into a memorandum of understanding (MOU) with the local police department that defines the officer's role and

responsibilities. The MOU must address daily interactions among students, school personnel, and police officers, and must include a graduated response model for student discipline.

By law, each local and regional school board must submit to the education commissioner an annual strategic school profile (SSP) with certain required data (e.g., student performance and school resources) for each of its schools and the district as a whole. The act adds to this requirement data on (1) in-school and out-of-school suspensions and expulsions and (2) school-based arrests.

As a separate reporting requirement, the State Department of Education (SDE) must disaggregate the new data the act requires by school, race, ethnicity, gender, age, disability status, English language learner (ELL) status, free and reduced price lunch eligibility, offense type, and the number of arrests at each school.

EFFECTIVE DATE: July 1, 2015

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

Section 1. (NEW) (*Effective July 1, 2015*) Each local or regional board of education that assigns a school resource officer to any school under the jurisdiction of such board shall enter into a memorandum of understanding with a local law enforcement agency [or the Division of State Police within the Department of Emergency Services and Public Protection] regarding the role and responsibility of such school resource officer. Such memorandum of understanding shall include provisions addressing daily interactions between students and school personnel with school resource officers and [may] shall include a graduated response model for student discipline. For the purposes of this section, "school resource officer" means a sworn police officer of a local law enforcement agency [or a sworn officer of the Division of State Police within the Department of Emergency Services and Public Protection] who has been assigned to a school pursuant to an agreement between the local or regional board of education and the chief of police of a local law enforcement agency [or the commanding officer of the Division of State Police.] Note: SB 1502 eliminated references to State Police and requires a graduated response model for student discipline in the MOU.

Sec. 2. (NEW) (*Effective July 1, 2015*) (a) As used in this section:

(1) "Student" means a person who is enrolled in a school under the jurisdiction of a local or regional board of education;

(2) "School property" means the real property comprising a public elementary or secondary school under the jurisdiction of a local or regional board of education;

(3) "School day" means the hours in which a school is open to students for regular classroom instruction, intramural or interscholastic athletics, or extracurricular activities;

(4) "School-sponsored event" means any school activity conducted on or off school property regardless of when such school activity is conducted; and

(5) "School-based arrest" means an arrest of a student for conduct of such student on school property or at a school-sponsored event.

(b) The Department of Education shall annually examine data relating to in-school suspensions, out-of-school suspensions, expulsions and school-based arrests that has been submitted as part of the strategic school profile report pursuant to section 10-220 of the general statutes, as amended by this act, and shall disaggregate such data by school, race, ethnicity, gender, age, students with disabilities, English language learners, as defined in section 10-76kk of the general statutes, students who are eligible for free or reduced priced lunch pursuant to federal law and regulations, and type of offense for which the school-based arrests were made and the number of arrests made annually at each school within the school district. The department shall annually submit a report to the State Board of Education regarding the examination and disaggregation of such data and make the report available on the department's Internet web site.

Sec. 3. Subsection (c) of section 10-220 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

(c) Annually, each local and regional board of education shall submit to the Commissioner of Education a strategic school profile report for each school under its jurisdiction and for the school district as a whole. The superintendent of each local and regional school district shall present the profile report at the next regularly scheduled public meeting of the board of education after each November first. The profile report shall provide information on measures of (1) student needs, (2) school resources, including technological resources and utilization of such resources and infrastructure, (3) student and school performance, including truancy, in-school suspensions, out-of-school suspensions and expulsions, (4) the number of students enrolled in an adult high school credit diploma program, pursuant to section 10-69, operated by a local or regional board of education or a regional educational service center, (5) equitable allocation of resources among its schools, (6) reduction of racial, ethnic and economic isolation, [and] (7) special education, and (8) school-based arrests, as defined in section 2 of this act. For purposes of this subsection, measures of special education include (A) special education identification rates by disability, (B) rates at which special education students are exempted from mastery testing pursuant to section 10-14q, (C) expenditures for special education, including such expenditures as a percentage of total expenditures, (D) achievement data for special education students, (E) rates at which

students identified as requiring special education are no longer identified as requiring special education, (F) the availability of supplemental educational services for students lacking basic educational skills, (G) the amount of special education student instructional time with nondisabled peers, (H) the number of students placed out-of-district, and (I) the actions taken by the school district to improve special education programs, as indicated by analyses of the local data provided in subparagraphs (A) to (H), inclusive, of this subdivision. The superintendent shall include in the narrative portion of the report information about parental involvement and [if] any measures the district has taken [measures] to improve parental involvement, including, but not limited to, employment of methods to engage parents in the planning and improvement of school programs and methods to increase support to parents working at home with their children on learning activities. For purposes of this subsection, measures of truancy include the type of data that is required to be collected by the Department of Education regarding attendance and unexcused absences in order for the department to comply with federal reporting requirements and the actions taken by the local or regional board of education to reduce truancy in the school district. Such truancy data shall be considered a public record, [for purposes of chapter 14] as defined in section 1-200.

PA 15-173 An Act Concerning Municipal Communications Regarding Referenda.

SUMMARY: Current law generally prohibits municipalities from sending residents unsolicited communications about referenda, with one exception. It authorizes those that maintain a community notification system to use it, at their chief elected official's direction, to notify enrolled residents of an upcoming municipal referendum.

This act creates a second exception, authorizing regional school boards to request that their member municipalities use their community notification systems to notify enrolled residents of an upcoming regional school district referendum. The board chairperson must make the request.

The act also authorizes regional school boards to print and disseminate neutral printed material, in addition to explanatory texts, about regional school district referenda. The board's attorney must approve the material. Municipalities already have this authority for municipal referenda. The act specifies that the material may be prepared by a person authorized by the regional school board or municipal legislative body, whichever applies.

The law prohibits the use of public funds to influence the success or defeat of a referendum question. The act exempts from this prohibition third-party comments posted on social media or on Internet websites maintained by the state, municipalities, or regional school districts. The act also conforms law to practice by specifying that an Internet website maintained by a municipality or regional school district is not a

community notification system and may contain a notice of an upcoming municipal or regional school district referendum.

The act makes several technical and conforming changes, principally to align the processes under which municipalities and regional school boards authorize, prepare, approve, and disseminate referenda explanatory texts and other neutral printed material.

EFFECTIVE DATE: Upon passage

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

Section 1. Section 9-369b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) (1) (A) Except as provided in subdivision (2) of this subsection, any municipality may, by vote of its legislative body, authorize the preparation, [and] printing and dissemination of concise explanatory texts [of] or other printed material with respect to local proposals or questions approved for submission to the electors of a municipality at a referendum. [In] For the purposes of this section, in a municipality that has a town meeting as its legislative body, the board of selectmen shall [, by majority vote, determine whether to authorize an explanatory text or the dissemination of other neutral printed material] be deemed to be the legislative body of such municipality.

(B) [Thereafter, each] Each such explanatory text shall be prepared by the municipal clerk [, subject to the approval of the municipal attorney,] and shall specify the intent and purpose of each such proposal or question. Such explanatory text shall not advocate either the approval or disapproval of the proposal or question. The municipal clerk shall cause such question or proposal and such explanatory text to be printed in sufficient supply for public [distribution] dissemination and shall also provide for the printing of such explanations of proposals or questions on posters of a size to be determined by said clerk. At least three such posters shall be posted at each polling place at which electors will be voting on such proposals or questions. Any posters printed in excess of the number required by this section to be posted may be displayed by said clerk at the clerk's discretion at locations which are frequented by the public. The explanatory text shall also be furnished to each absentee ballot applicant pursuant to subsection (d) of section 9-140. [Any municipality may, by vote of its legislative body and] Each such explanatory text shall be subject to the approval of the municipal attorney.

(C) Any such other printed material shall be prepared by the person or persons so authorized by the legislative body, shall not advocate either the approval or

disapproval of the proposal or question and shall be subject to the approval of [its] the municipal attorney. [, authorize the preparation and printing of materials concerning any such proposal or question in addition to the explanatory text if such materials do not advocate the approval or disapproval of the proposal or question.]

(2) (A) For any referendum called for by a regional school district, the regional school board of education shall authorize the preparation, [and] printing and dissemination of concise explanatory texts [of] or other printed material with respect to proposals or questions approved for submission to the electors of [a municipality] the municipalities included in such regional school district at a referendum. For any such referendum, only the regional school board of education shall make any such authorization.

(B) [The regional school board of education's secretary shall prepare each such explanatory text, subject to the approval of the regional school board of education's counsel, and] Each such explanatory text shall be prepared by the regional school board of education and shall specify the intent of each such proposal or question. Such explanatory text shall not advocate either the approval or disapproval of the proposal or question. The regional school board of education's secretary shall undertake any other duty of a municipal clerk, as described in subdivision (1) of this subsection. Each such explanatory text shall be subject to the approval of the regional school board of education's attorney.

(C) Any such other printed material shall be prepared by the person or persons so authorized by the regional school board of education, shall not advocate either the approval or disapproval of the proposal or question and shall be subject to the approval of the regional school board of education's attorney.

(3) (A) For purposes of this subdivision, "community notification system" means a communication system maintained by a municipality that is available to all residents of [a] such municipality and permits any resident to opt to [be notified by the] receive notifications of community events or news from such municipality via electronic mail, text, telephone or other electronic or automated means. [of community events or news.]

(B) At the direction of the chief elected official of a municipality or, with respect to a referendum called for by a regional school district, the request of the chairperson of the regional school board of education having jurisdiction over such municipality included in such regional school district, a municipality that maintains a community notification system may use such system to send or publish a notice informing all residents enrolled in such system of an upcoming referendum. [to all residents enrolled in such system.] Such notice shall be limited to [(A)] (i) the time and location of such referendum, [(B)] (ii) a statement of the question as it is to appear on the ballot at the referendum, and [(C)] (iii) if applicable, the explanatory text or other material approved in accordance with subdivision (1) or (2) of this subsection. Any such notice shall not advocate the

approval or disapproval of the proposal or question or attempt to influence or aid the success or defeat of the referendum.

(C) Other than a notice authorized by this subdivision, no person may use or authorize the use of municipal funds to send an unsolicited communication to a group of residents regarding a referendum via electronic mail, text, telephone or other electronic or automated means for the purpose of reminding or encouraging such residents to vote in a referendum, provided such prohibition shall not apply to a regularly published newsletter or similar publication.

(D) An Internet web site maintained by a municipality or a regional school district shall not be deemed a community notification system for the purposes of this subdivision, but may contain a notice with the information described in subparagraph (B) of this subdivision.

(4) Except as specifically authorized in this section, no expenditure of state or municipal funds shall be made to influence any person to vote for approval or disapproval of any such proposal or question or to otherwise influence or aid the success or defeat of [the] any such referendum. The provisions of this subdivision shall not apply to a written, printed or typed summary of any official's views on a proposal or question, which is prepared for any news medium or which is not distributed with public funds to a member of the public except upon request of such member. For purposes of this section, the maintenance of a third-party comment posted on social media or on an Internet web site maintained by the state, a municipality or a regional school district permitting such third-party comments shall not constitute an expenditure of state or municipal funds.

(b) The State Elections Enforcement Commission, after providing an opportunity for a hearing in accordance with chapter 54, may impose a civil penalty on any person who violates this section by authorizing an expenditure of state or municipal funds for a purpose which is prohibited by this section. The amount of any such civil penalty shall not exceed twice the amount of the improper expenditure or one thousand dollars, whichever is greater. In the case of failure to pay any such penalty imposed under this subsection within thirty days of written notice sent by certified or registered mail to such person, the superior court for the judicial district of Hartford, on application of the commission, may issue an order requiring such person to pay the penalty imposed. Notwithstanding the provisions of sections 5-141d, 7-101a and 7-465, any other provision of the general statutes, and any provision of any special act or charter, no state or municipal officer or employee shall be indemnified or reimbursed by the state or a municipality for a civil penalty imposed under this subsection.

(c) Any municipality may provide, by ordinance, for the preparation, [and] printing and dissemination of concise summaries of arguments in favor of, and arguments opposed to, local proposals or questions approved for submission to the electors of a

municipality at a referendum for which explanatory texts are prepared under subsection (a) of this section. Any such ordinance shall provide for the establishment or designation of a committee to prepare such summaries, in accordance with procedures set forth in said ordinance. The members of said committee shall be representatives of various viewpoints concerning such local proposals or questions. The committee shall provide an opportunity for public comment on such summaries to the extent practicable. Such summaries shall be approved by vote of the legislative body of the municipality, or any other municipal body designated by the ordinance, and shall be posted and distributed in the same manner as explanatory texts under subsection (a) of this section. Each summary shall contain language clearly stating that the printing of the summary does not constitute an endorsement by or represent the official position of the municipality.

PA 15-174 An Act Concerning Childhood Vaccinations. (as amended by PA 15-242)

SUMMARY: Existing law exempts children from school immunization requirements if the child presents a statement from his or her parents or guardians that the immunization would be contrary to the child's religious beliefs. This act additionally exempts children who present a statement that the immunization would be contrary to the parents' or guardians' religious beliefs. It requires any such statement to be officially acknowledged by a notary public, Connecticut-licensed attorney, judge, family support magistrate, court clerk or deputy clerk, town clerk, school nurse or justice of the peace.

The act extends the above requirement to children attending child day care centers and group or family day care homes whose parents or guardians object to such immunization on religious grounds. (Existing Office of Early Childhood regulations require the submission of a religious exemption statement, but do not require it to be acknowledged.)

Under the act, the child's parents or guardians must submit the religious exemption statement upon enrollment and before entering grade 7 in order for the child to remain enrolled in a public or private school, child day care center, or group or family day care home.

EFFECTIVE DATE: July 1, 2015

PA 15-176 An Act Establishing Qualifications For The Commissioner Of Education.

SUMMARY: This act requires the education commissioner to be a qualified person with a master's or a higher degree in an education-related field and at least the following experience in a school or district in Connecticut or another state: (1) five years as a

teacher and (2) three years as an administrator. Under current law, the commissioner is not required to hold a degree or have any experience in education. By law, the selection process requires the State Board of Education (SBE) to recommend a commissioner candidate to the governor, who then nominates the person and forwards the nomination to the General Assembly for confirmation.

EFFECTIVE DATE: Upon passage

PA 15-177 An Act Requiring The Commissioner Of Education To Develop And Submit A Comprehensive State-wide Interdistrict Magnet School Plan.

SUMMARY: This act sets a new deadline by which the education commissioner must develop and submit to the Education Committee a comprehensive statewide plan for interdistrict magnet schools. Current law required that the plan be submitted by January 1, 2011. The act requires that it be submitted by October 1, 2016.

By law, and unchanged by the act, the commissioner cannot accept applications to establish new magnet schools outside the *Sheff* region until this plan is developed. Applications for new magnet schools within the *Sheff* region are not subject to this moratorium.

EFFECTIVE DATE: July 1, 2015

PA 15-183 An Act Concerning The Juvenile Justice System.

SUMMARY: Among other provisions, this act expands the Juvenile Justice Policy and Oversight Committee's (JJPOC) membership and responsibilities. It requires the committee to assess the juvenile justice system and make recommendations to improve the system regarding:

- Mental health and substance abuse treatment programs and services for children and youths involved with, or at risk of involvement with, the juvenile justice system;
- Educational outcomes for children and youths involved with, or at risk of involvement with, the juvenile justice system.

EFFECTIVE DATE: October 1, 2015

PA 15-189 An Act Concerning The Development Of A Rolling Three-year Capital Improvement And Capital Equipment Plan For The Technical High School System.

SUMMARY: This act requires the State Board of Education to maintain a 3 year, rather than 5 year, rolling capital improvement and capital equipment plan for the state's technical high school system. By law, this plan must identify:

1. alterations, renovations, and repairs each technical high school is expected to need, including grounds and athletic fields, heating and ventilation systems, wiring, roofs, and windows, and the cost of such improvements;
2. recommendations for, and the cost of, energy efficiency improvements to each school; and
3. specific equipment each school is expected to need, based on (a) the useful life of existing equipment, (b) projections of changing technology, and (c) the estimated cost of the equipment.

EFFECTIVE DATE: July 1, 2015

PA 15- 205 An Act Protecting School Children.

SUMMARY: This act increases, from a class A misdemeanor to a class E felony, the penalty for a mandated reporter to fail to report suspected child abuse or neglect to the Department of Children and Families (DCF). The act extends the mandated reporter law protection to certain students age 18 and older by making it a class E felony for a school employee to fail to report to DCF suspected 2nd degree sexual assault of such a student by an employee at the school. It is a class D felony, under the act, for anyone to intentionally and unreasonably interfere with or prevent such reporting.

By law, (1) DCF must make available educational and refresher training for all mandated reporters of child abuse and neglect, and (2) school employees must participate in the training course when hired and the refresher training every three years. Under the act principals must certify to the superintendent that school employees complete such training and the superintendent must certify compliance to the State Board of Education.

It requires each local or regional board to (1) update its written policy, by February 1, 2016, to include the new school employee reporting requirements and (2) establish a confidential rapid response team, by January 1, 2016, to coordinate with DCF to ensure prompt reporting. It also prohibits boards from rehiring noncompliant employees and requires SBE to revoke the certification, permit, or authorization of anyone convicted of certain crimes.

EFFECTIVE DATE: October 1, 2015 except the provisions on DCF's training program and investigation funding; local and regional school boards' rapid response team and rehiring practices; and SBE's certification, authorization, and permit practices are effective July 1, 2015.

Sec. 9. (NEW) (*Effective July 1, 2015*) Not later than January 1, 2016, each local and regional board of education shall establish a confidential rapid response team to coordinate with the Department of Children and Families to (1) ensure prompt reporting of suspected abuse or neglect, as described in section 46b-120, of the general statutes, or sexual assault pursuant to the provisions of section 53a-70, 53a-70a, 53a-71, 53a-72a, 53a-72b or 53a-73a of the general statutes against a victim, as described in subdivision (2) of subsection (a) of section 17a-101a of the general statutes, as amended by this act, and (2) provide immediate access to information and individuals relevant to the department's investigation. The confidential rapid response team shall consist of a teacher and the superintendent employed by the board of education, a local police officer and any other person the board of education deems appropriate. The department, along with the multidisciplinary team established pursuant to section 17a-106a of the general statutes, shall take immediate action to investigate and address each report of child abuse or neglect reported in any school.

PA 15-206 An Act Regulating Electronic Nicotine Delivery Systems And Vapor Products.

SUMMARY: This act imposes restrictions on the use of “electronic nicotine delivery systems” and “vapor products” in certain establishments and public areas that are similar to existing restrictions on smoking in such areas. Among other things it prohibits the use of e-cigarettes in state buildings, restaurants, places serving alcohol, schools, child care facilities, and health care facilities, and requires signs in areas where e-cigarette use is prohibited.

EFFECTIVE DATE: October 1, 2015

PA 15-209 An Act Implementing The Recommendations Of The Program Review And Investigations Committee Concerning Transitional Services For Youth And Young Adults With Autism Spectrum Disorder.

SUMMARY: This act requires the State Board of Education (SBE), by July 1, 2015, to draft a bill of rights for parents of children receiving special education services to guarantee that the rights of these students and their parents are protected when receiving these and related services.

The act requires the State Department of Education (SDE), starting with the 2015-16 school year, to annually distribute the bill of rights to local and regional boards of education. The bill of rights must be provided to parents at planning and placement team (PPT) meetings for special education students in grades six through 12.

By law, when a student is identified as requiring special education, and at each PPT meeting, school boards must provide the parents or guardian and the student, if he or she is emancipated or 18 or older, with information on (1) special education laws, (2) their rights under these laws, and (3) relevant information and resources relating to individualized education programs (IEPs) created by SDE. The bill specifies that this includes information related to transition resources and services for high school students. It also requires SBE to ensure that school boards are providing all such information to these individuals.

Finally, the act requires DDS, by February 1, 2016, to begin reporting annually to the Public Health Committee on the activities of the department's Division of Autism Spectrum Disorder Services and Advisory Council.

EFFECTIVE DATE: July 1, 2015

Sec. 3. (NEW) (*Effective July 1, 2015*) (a) As used in this section, "parent" means the parent or guardian of a child requiring special education or the surrogate parent appointed pursuant to section 10-94g of the general statutes or, in the case of a pupil who is an emancipated minor or eighteen years of age or older, the pupil.

(b) On or before July 1, 2015, the State Board of Education shall draft a written bill of rights for parents of children receiving special education services to guarantee that the rights of such parents and children are adequately safeguarded and protected during the provision of special education and related services under chapter 164 of the general statutes. Such bill of rights shall inform parents of: (1) The right to request consideration of the provision of transition services for a child receiving special education services who is eighteen to twenty-one, inclusive, years of age, (2) the right to receive transition resources and materials from the department and the local or regional board of education responsible for such child, (3) the requirement that the local or regional board of education responsible for such child shall create a student success plan for each student enrolled in a public school, beginning in grade six, pursuant to subsection (j) of section 10-221a of the general statutes, and (4) the right of such child to receive realistic and specific postgraduation goals as part of such child's individualized education program.

(c) For the school year commencing July 1, 2015, and each school year thereafter, the Department of Education shall annually distribute to local and regional boards of education the written bill of rights for parents of children receiving special education services, which shall be provided to parents, at a planning and placement team meeting for a child receiving special education services in grades six to twelve, inclusive.

PA 15-215 An Act Concerning Various Revisions And Additions To The Education Statutes.

SUMMARY: This act make numerous changes to the education statutes, including:

1. granting agricultural science center internship providers civil liability immunity from students and their parents or guardians for student interns' personal injuries, unless the injuries are caused by the providers' gross or willful negligence (§ 10);
2. specifying that the required union representation on a school district's professional development and evaluation committee include at least one representative from each of the teachers' and administrators' unions (§ 11); and
3. requiring the Connecticut Technical High School System (CTHSS) board, rather than the State Board of Education (SBE), to (a) adopt its long-range plan and biennial report and (b) maintain a rolling capital improvements plan (§§ 14 & 15).

It also makes a number of minor changes to the education statutes including:

1. changing the title of “special master” for a district under state supervision and control to “district improvement officer” (§§ 1-3);
2. decreasing the number of required hearing, vision, and postural screenings for public school students and adding new parental notice requirements for these screenings (§ 4);
3. indemnifying teacher mentors and reviewers against lawsuits (§ 5);
4. allowing the State Department of Education (SDE) to use a nationally recognized exam as part of a program that allows boards of education to permit high school students to substitute certain evidence of academic achievement for existing high school graduation requirements (§ 7);
5. specifying that agricultural science center equipment and facilities purchased with state grants must be used exclusively by the agricultural science centers (§ 8);
6. requiring parents to notify a student's home district when the student is accepted to or placed on the waiting list for an interdistrict magnet school (§ 9);
7. adding additional criteria that SDE must consider for proposed administrator alternative route to certification (ARC) programs (§ 12);
8. requiring SDE, through local and regional school districts, to provide information about how to qualify for the supplemental assistance nutrition program (SNAP) to the parents and guardians of public school students (§ 13);
9. authorizing boards of education to prescribe rules for internet access and content at school media library centers (§ 17);

10. allowing a board of education that cannot find a Junior Reserve Officer Training Corps (JROTC) -certified teacher to employ a person enrolled in an armed forces JROTC instructor program to teach the JROTC program at a public school (§ 18);

11. changing the minimum budget requirement, calculation for net expenses, and teacher tenure law requirements for newly formed regional school districts (§ 19-21); and

12. creating new requirements for the selection and training of school employees who administer anti-epileptic medications to students in schools. (§ 22)

EFFECTIVE DATE: July 1, 2015, except for the provisions regarding indemnity and appointments to the administrator standards council, which are effective on passage.

PA 15-225 An Act Concerning Chronic Absenteeism.

SUMMARY: This act requires the BOE to monitor and address absenteeism rates in schools. Specifically, it requires the BOE to:

1. establish attendance review teams for their school district or individual schools when chronic absenteeism rates reach a certain percentage and
2. annually report to the education commissioner the number of truant and chronically absent students for each school and the entire district.

The act also requires SDE, along with the Interagency Council for Ending the Achievement Gap, to develop a chronic absenteeism prevention and intervention plan by 1/1/16 for use by BOE.

The act also expands the children's probate court truancy clinics by allowing the Probate Court Administrator to establish them in any town designated as an alliance district.

EFFECTIVE DATE: July 1, 2015

PA 15-227 An Act Concerning The Office Of Early Childhood.

SUMMARY: This act makes the following changes to various early childhood statutes:

- expands school readiness seat eligibility to include children who do not live in priority school districts (§§ 1 & 2);
- revises the formula for calculating competitive school readiness grants (§ 2);

- increases the amount of unexpended school readiness funds that may be spent on professional development for early childhood care and education program providers (§ 3);
- eliminates the requirement that school readiness councils submit biennial reports to the State Department of Education (SDE) on the number and location of readiness spaces, estimated number of unserved children, and estimated cost of providing spaces to all eligible children (§ 5);
- creates separate operating and capital grant accounts for the Smart Start competitive grant program (§§ 10 & 11);
- requires OEC to redesign the Smart Start program grants as up-front payments rather than reimbursements (§ 12);
- adds seven new members to the Early Childhood Cabinet (§ 13); and
- renames the “kindergarten assessment tool” the “kindergarten entrance inventory,” which OEC must develop under existing law, and eliminates OEC's duty to implement it (as SDE, not OEC, implements kindergarten initiatives) (§ 501).

EFFECTIVE DATE: July 1, 2015, except for the sections concerning Smart Start operating and capital grant accounts and Even Start, which are effective on passage.

PA 15-232 An Act Concerning Trauma-Informed Practice Training For Teachers, Administrators And Pupil Personnel.

SUMMARY: The act requires the State Board of Education to assist and encourage local and regional boards of education to include training on trauma-informed practices for the school setting to enable teachers, administrators and pupil personnel to more adequately respond to students with mental, emotional or behavioral health needs.

EFFECTIVE DATE: October 1, 2015

PA 15-237 An Act Concerning High School Graduation Requirements.

SUMMARY: This act delays, by one year, implementation of the scheduled changes to the state's school requirements that (1) increase the minimum number of credits, from 20 to 25, required for high school graduation; (2) require students to pass state exams in certain courses and complete a senior project in order to graduate; and (3) require school districts to offer students support and alternative ways to meet the new graduation requirements. These requirements are set in statute and are currently

scheduled to apply to the 2020 graduating class (the current seventh grade class). Under the act, they apply to the 2021 graduating class (the current sixth grade class).

The act also creates a nine-member task force to study the alignment of the high school graduation requirement changes with the Common Core State Standards and also study the feasibility of including CPR as part of the high school graduation requirements. CAFE has a representative on the task force.

The act also requires SBE to grant a student a community service recognition award if he or she satisfactorily completes at least 50 hours of community service and meets statutory criteria to earn one-half credit toward graduation.

EFFECTIVE DATE: July 1, 2015, except the task force is effective upon passage.

PA 15-238 An Act Concerning Students Assessments.

SUMMARY: The act establishes a Mastery Examination Committee within SDE that had been meeting previously. CAFE has an appointment on the committee. The committee will examine (1) the impact of the state-wide mastery examination on teaching, students and student learning time, (2) the administration of the state-wide mastery examination on computers or other devices, (3) whether the state-wide mastery examination is an appropriate student assessment, (4) whether the state-wide mastery examination (A) responds to student needs, (B) offers accommodations for students with disabilities and students who are English language learners, (C) informs teachers of student progress, (D) aligns with curriculum standards adopted by the State Board of Education, and (E) complies with the requirements of federal law, (5) the feasibility of decreasing the amount of time required to complete the state-wide mastery examination by using alternative formats or alternative methods of delivery, and (6) ways to facilitate timely communication between the State Board of Education and local and regional boards of education with regard to the state-wide mastery examination. By 2/15/16, the committee submits an interim report and by 1/15/17, a final report. The act requires the State Board of Education to enter into an agreement with a provider of a nationally recognized college readiness assessment as part of the 11th grade mastery examination requirement. It will replace the current Smarter Balanced Assessment Consortium (SBAC) for 11th graders and must offer accommodations for students with disabilities and ELL students.

EFFECTIVE DATE: July 1, 2015, but the statewide mastery exam study provision is effective upon passage.

PA 15-239 An Act Concerning Charter Schools.

SUMMARY: This act makes the following changes:

1. redesigns SBE's and the legislature's roles in the charter school application approval process (§ 2);
2. narrows the definition of "charter management organization" in current law to mean a nonprofit, tax-exempt organization, rather than any entity (§ 1);
3. defines "charter," which is undefined in current law, as a contract between the governing council of a charter school and the State Board of Education (SBE) that establishes the roles, powers, responsibilities, and performance expectations of each party to the contract (§ 1);
4. expands SBE's duties in the charter renewal process (§ 2);
5. adds SBE-developed academic and organizational performance goals to initial certificates and charters granted to charter schools (§ 2);
6. requires each charter school governing council's annual report to the education commissioner to describe the school's progress in meeting the academic and organizational goals set forth in its charter (§ 3);
7. requires the education commissioner to monitor the auditor that she selects to randomly audit one state charter school each year, and requires the auditor to be independent (§ 4);
8. requires, beginning October 1, 2015, each charter school governing council member to complete training about governing council responsibilities and best practices at least once during the charter's term (§ 5);
9. requires, beginning October 1, 2015, each charter school governing council to adopt anti-nepotism and conflict of interest policies aligned with state law and nonprofit corporate governance best practices (§ 5);
10. requires each CMO, or governing council in the absence of a CMO, to annually submit to the education commissioner a (a) certified audit statement of revenues from public and private sources and expenditures and (b) complete copy of its most recent Internal Revenue Service Form 990, with all its parts and schedules (§ 6);
11. requires the education commissioner to post online (a) any reports, certified audit statements, or forms that CMOs or governing councils submitted to SDE within 30 days of receipt and (b) the names of any CMOs or governing councils that failed to submit these documents within 30 days of failure of receipt (§ 7);
12. requires, beginning July 1, 2015, various individuals who manage and work in charter schools to submit to several types of background checks (§ 8);

13. establishes a process that governing councils must follow if they wish to make a material change in the charter school's operations (§ 9); and

14. limits the type of contract a governing council may enter into with a CMO to one for whole school management services, and establishes new guidelines for the establishment of these contracts (§ 10).

EFFECTIVE DATE: July 1, 2015

PA 15-243 An Act Concerning Teacher Preparation Program Efficacy.

SUMMARY: This act requires, starting July 1, 2016, all teacher preparation programs in the state to place their students, as part of their field work or student teaching classroom experience, at (a) a school in a school district that has been categorized by SDE as District Reference Group A, B, C, D or E, and in a school district that has been categorized by SDE as District Reference Group F, G, H or I. Clinical experience, field experience or student teaching experience may include a cooperating teacher serving as a mentor to student teachers, provided such cooperating teacher has received a performance evaluation designation of exemplary or proficient, for the prior school year.

By July 1, 2015, SDE must annually report on the quality of in-state teacher preparation programs to the Education and Higher Education and Employment Advancement committees. The report must include recommendations on the recruitment of minority teachers and administrators.

EFFECTIVE DATE: July 1, 2015, except the teacher preparation quality report provision takes effect upon passage.

PA 15-244 An Act Concerning The State Budget For The Biennium Ending June 30, 2017.

The budget provides for increases in the ECS grants to certain towns of \$22.7 million in 2015-16 and \$30.1 million in 2016-17. The budget also provides \$450,000 each year to phase in full day kindergarten, and funds two additional charter schools and new seats in existing charters.

The act includes a provision that beginning in FY 18 the state grant will be reduced for municipalities where spending increases by more than 2.5% or the rate of inflation, whichever is greater.

EFFECTIVE DATE: July 1, 2015

SA 15-17 An Act Establishing A Task Force To Study Life-threatening Food Allergies In Schools.

SUMMARY: The act establishes a task force to study life-threatening food allergies in schools. The task force shall examine (1) the efficacy of the implementation, dissemination and enforcement of the guidelines for the management of students with life-threatening food allergies and glycogen storage disease, developed by the Department of Education pursuant to section 10-212c of the general statutes, (2) methods used by school districts to ensure the safety of students with life-threatening food allergies while such students are being transported to and from school, (3) the plans for the management of students with life-threatening food allergies and glycogen storage disease, implemented by local and regional boards of education pursuant to section 10-212c of the general statutes, to ensure the safety of students with life-threatening food allergies and their inclusion as fully participating members in the school community, (4) the emotional and psychosocial welfare of students with life-threatening food allergies as it relates to and is influenced by such students' membership in the school community and how such students are included or excluded from participating in school events, and (5) how instances of isolation or targeting of students with life-threatening food allergies by other students, school staff or school policy are addressed by the school or district administration.

The administrative staff of the public health committee shall serve as administrative staff of the task force. The task force includes a representative of CAGE, and must submit a report by January 1, 2016.

EFFECTIVE DATE: Upon passage