

OFFICE OF LEGISLATIVE RESEARCH
PUBLIC ACT SUMMARY



PA 18-182—sHB 5446

Education Committee

**AN ACT CONCERNING MINOR REVISIONS AND ADDITIONS TO THE
EDUCATION STATUTES**

SUMMARY: This act delays, by one year, the transition of the Technical Education and Career System (TECS) (formerly known as the technical high school system) into an independent state agency, separate from the State Department of Education (SDE) (§§ 7-12, 17-21).

It also makes the following changes in the education statutes:

1. specifically makes instruction on opioid use and related disorders part of the state's required public school program of instruction (existing law already requires instruction on substance abuse prevention) (§ 2);
2. requires the State Board of Education (SBE) to assist local and regional boards of education in including instruction related to Connecticut's "safe haven" law (§§ 2 & 13);
3. creates a process to exempt small school districts from enrolling as Medicaid providers and other related state requirements (§ 15);
4. extends youth service bureau grant eligibility to bureaus that applied for grants in FY 18 (§ 1);
5. requires SDE to identify effective truancy intervention models for boards of education that address the needs of students with disabilities and include them in an existing listing made available to the boards (§ 4);
6. establishes a 12-member task force to study high school interscholastic athletics programs and requires it to report to the Education Committee by January 1, 2019 (§§ 14 & 22); and
7. prohibits boards of education from denying certain students enrollment in an agricultural science and technology education center ("vo-ag center") (§ 16).

The act makes other minor changes, including requiring (1) school districts' chronic absenteeism and prevention plans to include a way to collect and analyze data on student attendance, truancy, and chronic absenteeism for students with disabilities (§ 3); (2) the Children's Committee's annual children's report card to include, in addition to existing categories, data indicators according to disability (see BACKGROUND) (§ 5); and (3) the After School Committee to report recommendations to the Appropriations and Education committees to improve summer and after school programs (§ 6). The act also makes technical and conforming changes.

EFFECTIVE DATE: July 1, 2018, except where noted below.

§ 1 — YOUTH SERVICE BUREAU GRANTS

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By law, the education commissioner must establish a youth service bureau grant program that, within available appropriations, awards \$14,000 grants to eligible bureaus that have applied for grants during designated fiscal years, with prior approval of their town's contribution. Towns must contribute an equal amount (i.e., \$14,000).

The act extends grant eligibility to bureaus that applied to receive grants during FY 18 with prior approval of their town's contribution. Prior law limited eligibility to FY 17 applicants.

By law, youth service bureaus coordinate community-based services that provide prevention and intervention programs for delinquent, pre-delinquent, pregnant, parenting, and troubled youths referred to them by schools, police, and juvenile courts, among others.

§§ 2 & 13 — SAFE HAVEN LAW INSTRUCTIONAL MATERIALS

Within available appropriations and resources, the act requires SBE to assist and encourage boards of education to include instruction related to the safe haven law. It also requires the Department of Children and Families to provide instructional materials related to the safe haven law to (1) SBE by October 1, 2018, in order to assist SBE in meeting this responsibility and (2) upon their request, boards of education.

The safe haven law allows a parent or a parent's lawful agent to voluntarily give up custody of an infant, age 30 days or younger, to emergency room staff without being subject to arrest for abandonment. But it does not protect the parent from being criminally prosecuted if abuse or neglect has occurred (CGS §§ 17a-57 to 17a-61).

§ 3 — CHRONIC ABSENTEEISM PREVENTION PLAN

By law, SDE must develop a chronic absenteeism prevention and intervention plan for use by local and regional school boards. The plan must include the means for collecting and analyzing data relating to student attendance, truancy, and chronic absenteeism. The data must be disaggregated by school district, school, grade, and specified subgroups such as race, ethnicity, and gender. The act adds students with disabilities to the list of data subgroups.

§ 4 — TRUANCY INTERVENTION MODELS

Existing law requires SDE to identify effective truancy intervention models for local and regional boards of education. The act requires SDE to include intervention models that address the needs of students with disabilities. It also changes the deadline, from August 15, 2017 to August 15, 2018, by which SDE must make a listing of all approved intervention models available to boards.

§ 6 — AFTER SCHOOL COMMITTEE REPORT

The act requires the After School Committee to report by February 1, 2019, to the Appropriations and Education committees on recommendations to improve

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summer school and after school programs. By law, the education commissioner, in consultation with the social services commissioner and the Commission on Women, Children and Seniors executive director, appoint the members.

The report, and any recommendations for legislation, must address how to better coordinate, expand, finance, and improve the quality, accessibility, and affordability of summer and after school programming for school-age children in all settings.

§§ 7-12, 17-21 — ONE YEAR DELAY IN MAKING THE TECHNICAL HIGH SCHOOL SYSTEM AN INDEPENDENT AGENCY

The act delays, by one year, the mandated steps that transition TECS into an independent agency, separate from SDE and SBE. This means the transition will be complete for the 2020-2021 school year.

EFFECTIVE DATE: Upon passage, except the provision making TECS a separate budgeted agency is effective July 1, 2020.

Under prior law, the new position of TECS executive director, the agency head who is appointed by the governor, is created beginning July 1, 2019. The act delays this until July 1, 2020. It also delays by one year, until July 1, 2020, the (1) elimination of SBE as the system's oversight body and (2) creation of the new TECS board to oversee the new agency. It also makes corresponding delays, from July 1, 2019 to July 1, 2020, for the new board's and executive director's budget-making responsibilities and conforming changes related to the elimination of SBE's oversight and the creation of the new TECS board.

The act extends for one additional year, from June 30, 2020 to June 30, 2021, the current TECS board's existing authority to recommend a superintendent candidate to the education commissioner, who may hire or reject the candidate. Similarly, under the act, the term of office for a superintendent who is hired this way expires June 30, 2021, rather than June 30, 2020.

Further, the act delays, from July 1, 2020, to July 1, 2021, the new TECS board's duty to recommend a candidate for TECS superintendent to the TECS executive director, who may hire or reject a candidate. The superintendent is in charge of the system's educational program.

The act also adds two additional fiscal years to the period that SBE is required to hire a consultant to assist the TECS board with the system transition plan. Under prior law, the consultant requirement is for FY 18. The act extends it to FYs 19 and 20.

It also requires SDE to provide one additional year of training to TECS staff, who will perform central office and administrative functions in the new system. The training must continue until the end of FY 20, rather than end with FY 19.

The act also makes conforming changes related to adding TECS to the statutory list of executive branch agencies and the executive director as a department head. It also makes other minor and conforming changes.

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§§ 14 & 22 — TASK FORCE ON INTERSCHOLASTIC ATHLETICS PROGRAMS

The act (1) repeals a law creating a 12-member task force on high school athletics programs that was due to submit a report to the Education Committee by January 1, 2018, and (2) replaces it with a similar body due to report one year later. As under the repealed law, the new task force must study the governance, financing, general conduct, and role of high school interscholastic athletics programs in Connecticut.

EFFECTIVE DATE: Upon passage

Study Scope

The task force study must examine, but is not limited to, the following topics:

1. barriers to participating in sanctioned interscholastic athletic activities,
2. the impact of non-sanctioned activities on interscholastic sports participation,
3. financing of interscholastic athletic teams,
4. policies regarding school districts' performance reviews of interscholastic athletics,
5. the athletic season's length for specific sports and restrictions on participating in interscholastic athletics,
6. academic requirements for interscholastic athletics participation,
7. participant and spectator safety and sportsmanship, and
8. issues of participation of students enrolled in private schools and schools of choice.

The task force must submit its findings and recommendations to the Education Committee by January 1, 2019. The act provides that the task force must not terminate until it submits the report. The Education Committee's administrative staff serves as the task force's staff.

Membership

The act requires the six legislative leaders to each appoint one task force member, who may be a legislator. The task force must also include one representative from each of the following six organizations (the act does not specify who appoints these members) the:

1. Connecticut Interscholastic Athletic Conference,
2. Connecticut High School Coaches Association,
3. Connecticut Athletic Directors Association,
4. Connecticut Association of Boards of Education,
5. Connecticut Association of Public School Superintendents, and
6. Connecticut Parent Teacher Association.

The act requires legislative leaders to make their appointments within 30 days after the act's passage. The House speaker and Senate president pro tempore must select the task force chairpersons, who must schedule the first task force meeting within 60 days after the act's passage.

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§ 15 — EXEMPTION FOR BOARDS OF EDUCATION AS MEDICAID PROVIDERS

The act creates a process to exempt certain local and regional boards of education from existing requirements to (1) enroll as Medicaid providers, (2) participate in the Department of Social Services' (DSS) Medicaid School-Based Child Health Program (SBCH Program), and (3) submit billable service information electronically to DSS or its billing agent. The SBCH Program enables school districts to seek federal Medicaid reimbursement for covered special education services (e.g., assessment and occupational therapy) provided to an eligible student with disabilities pursuant to his or her individualized education plan.

The act allows a board of education with a student population of fewer than 1,000 students to conduct a cost benefit analysis, in a form DSS prescribes, to determine whether the cost of Medicaid participation exceeds the revenue it would generate for the board.

Under the act, a board of education may be exempted from these requirements after the cost benefit analysis (presumably, by DSS). But it must complete and submit the analysis to DSS every three years in order to remain exempt. (The act does not specify the circumstances under which DSS is authorized or required to exempt boards from the requirements.)

The act also requires, by September 1, 2018, the DSS commissioner to develop a cost benefit analysis model and determine the feasibility of directly certifying students as Medicaid eligible on behalf of a local or regional board of education.

EFFECTIVE DATE: Upon passage

§ 16 — VO-AG CENTER ENROLLMENT

The act prohibits a board of education from denying, or otherwise prohibiting, any student under its jurisdiction from enrolling in a vo-ag center for the 2018-19 school year provided the student:

1. was enrolled in a vo-ag center during the 2017-18 school year or
2. received a notice on or before April 1, 2018, that he or she was admitted for enrollment in a vo-ag center for the 2018-19 school year.

Vo-ag centers are regional high schools that provide vocational agricultural education. Each center serves a multi-town region with local districts sending students interested in agriculture to the vo-ag center.

EFFECTIVE DATE: Upon passage

BACKGROUND

Children's Committee Annual Report Card

By law, the Children's Committee must maintain an annual report card evaluating the progress of state policies and programs in promoting the result that all Connecticut children grow up in a stable living environment, safe, healthy, and ready to lead successful lives. Progress must be measured by primary indicators,

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such as statewide rates of child abuse, child poverty, low birth weight, and third grade reading proficiency. Each progress indicator presents data by specified characteristics, such as ethnicity and gender (CGS § 2-53m).