



Substitute House Bill No. 5182

Public Act No. 24-29

AN ACT CONCERNING THE LEGISLATIVE COMMISSIONERS' RECOMMENDATIONS FOR TECHNICAL REVISIONS TO THE EDUCATION AND EARLY CHILDHOOD STATUTES.

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

Section 1. Section 10-4a of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

For purposes of sections 10-4, 10-4b and 10-220, and subdivision (1) of subsection (b) of section 10-66dd, the educational interests of the state shall include, but not be limited to, the concern of the state that (1) each child shall have for the period prescribed in the general statutes equal opportunity to receive a suitable program of educational experiences; (2) each school district shall finance at a reasonable level and at least, as appropriate, equal to the minimum budget requirement pursuant to the provisions of section 10-262j, an educational program designed to achieve this end; (3) in order to reduce racial, ethnic and economic isolation, each school district shall provide educational opportunities for its students to interact with students and teachers from other racial, ethnic [,] and economic backgrounds and may provide such opportunities with students from other communities; and (4) the mandates in the general statutes pertaining to education within the

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jurisdiction of the State Board of Education be implemented.

Sec. 2. Subsection (b) of section 10-144d of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) There is established the Connecticut Advisory Council for Teacher Professional Standards. The council shall be composed of nineteen members as follows: (1) The Governor shall appoint one public member who shall represent business and industry; the State Board of Education shall appoint two members, both of whom shall be a member of the faculty or administration of a State Board of Education approved teacher preparation program; the president pro tempore of the Senate shall appoint one member who shall be a school administrator employed by a local or regional board of education; the speaker of the House of Representatives shall appoint one member who shall be a parent or guardian of a child attending a public elementary or secondary school; the majority leader of the Senate shall appoint one member who shall be a member of a local or regional board of education; the majority leader of the House of Representatives shall appoint one member who shall be a school superintendent; the minority leader of the Senate shall appoint one member who shall be a parent of a child attending a secondary school; the minority leader of the House of Representatives shall appoint one member who shall be a superintendent for a regional school district; the Connecticut Education Association shall appoint four members who shall be classroom teachers at the time of their appointment and during the term of their membership on the council, two of whom shall be elementary school teachers, one of whom shall be a special education teacher and one of whom shall be a secondary school teacher; and the American Federation of Teachers-Connecticut shall appoint four members who shall be classroom teachers at the time of their appointment and during the term of their membership on the council, two of whom shall be secondary

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school [teacher] teachers, one of whom shall be an elementary school teacher and one of whom shall be a special education teacher; and (2) the Teacher of the Year for the prior year and the current Teacher of the Year. All appointments shall be made and the names of the persons appointed shall be submitted to the Commissioner of Education not later than October 1, 1990.

Sec. 3. Subsection (d) of section 10-215m of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(d) Any locally sourced food or regionally sourced food for which an eligible board of education seeks reimbursement payments under this section [] shall comply with the nutrition standards established by the department pursuant to section 10-215e.

Sec. 4. Subsection (b) of section 10-264o of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) For the fiscal year ending June 30, 2013, and each fiscal year thereafter, any tuition charged to a local or regional board of education by a regional educational service center operating an interdistrict magnet school assisting the state in meeting its obligations pursuant to the decision in *Sheff v. O'Neill*, 238 Conn. 1 (1996), or any related stipulation or order in effect, as determined by the Commissioner of Education, for any student enrolled in kindergarten to grade twelve, inclusive, in such interdistrict magnet school shall be in an amount equal to the difference between (1) the average per pupil expenditure of the magnet school for the prior fiscal year, and (2) the amount of any per pupil state subsidy calculated under subsection (c) of section 10-264l, plus any revenue from other sources calculated on a per pupil basis, except for the fiscal year ending June 30, 2025, and each fiscal year thereafter, the per student tuition charged to a local or regional board of

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education shall not exceed fifty-eight per cent of the per student tuition charged during the fiscal year ending June 30, 2024. If any such board of education fails to pay such tuition, the commissioner may withhold from such board's town or towns a sum payable under section 10-262i in an amount not to exceed the amount of the unpaid tuition to the magnet school and pay such money to the fiscal agent for the magnet school as a supplementary grant for the operation of the interdistrict magnet school program. In no case shall the sum of such tuitions exceed the difference between (A) the total expenditures of the magnet school for the prior fiscal year, and (B) the total per pupil state subsidy calculated under subsection (c) of section 10-264l, plus any revenue from other sources. The commissioner may conduct a comprehensive review of the operating budget of a magnet school to verify such tuition rate.

Sec. 5. Subsection (a) of section 3-123l of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) As used in this section:

(1) "Actuarial value" means the level of coverage provided by a health benefit plan as a percentage of the full actuarial value of the benefits provided under such plan;

(2) "Eligible paraeducator" means a paraeducator who (A) is employed by a local or regional board of education, (B) is ineligible for (i) the Covered Connecticut program, established under section 19a-754c, or (ii) Medicaid, and (C) does not have access to coverage under a health benefit plan that is available [(i) through the employer of] through an employer of (i) such paraeducator's spouse and has an actuarial value of at least seventy-five per cent, or (ii) [available through an employer of] such paraeducator and has an actuarial value that is equivalent to the actuarial value of a qualified health plan that is offered through the Connecticut Health Insurance Exchange at a silver level of

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coverage through any employer;

(3) "Health benefit plan" has the same meaning as provided in section 38a-1080;

(4) "Qualified health plan" has the same meaning as provided in section 38a-1080; and

(5) "Silver level of coverage" has the same meaning as provided in 42 USC 18022(d), as amended from time to time.

Sec. 6. Section 10-74v of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Not later than January 1, 2024, the Department of Education shall develop an informational handout for students that explains what it means for a student to have an individualized education program or a plan pursuant to Section 504 of the Rehabilitation Act of 1973, as amended from time to time, including what rights such student is entitled to in the classroom under such program or plan. Such handout shall (1) be age-appropriate, (2) be prepared separately for students in grades (A) kindergarten to four, inclusive, (B) five to eight, inclusive, and (C) nine to twelve, inclusive, (3) be translated into multiple languages, including English, Spanish, Portuguese, French and Polish, and (4) include a glossary of the most common tools used in the implementation of such program or plan. The department shall make such handout available to local and regional boards of education and post such handout [available] on the department's Internet web site.

Sec. 7. Subparagraph (A) of subdivision (9) of subsection (a) of section 10-76d of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(9) (A) The planning and placement team shall, in accordance with

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the provisions of the Individuals [With] with Disabilities Education Act, 20 USC 1400, et seq., as amended from time to time, develop and include a statement of transition service needs in the individualized education program for each child requiring special education, beginning not later than the first individualized education program to be in effect when such child becomes fourteen years of age, or younger if the planning and placement team determines it is appropriate. Such individualized education program shall include (i) appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment and, where appropriate, independent living skills; and (ii) the transition services, including courses of study, needed to assist such child in reaching those goals. Such individualized education program shall be updated annually thereafter in accordance with the provisions of this subdivision. Nothing in this subdivision shall be construed as requiring the Department of Aging and Disability Services to lower the age of transitional services for a child with disabilities from sixteen to fourteen years of age.

Sec. 8. Subparagraph (D) of subdivision (10) of subsection (a) of section 10-76d of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(D) Immediately upon the formal identification of any child as a child requiring special education and at each planning and placement team meeting for such child, the responsible local or regional board of education shall inform the parent or guardian of such child or surrogate parent or, in the case of a pupil who is an emancipated minor or eighteen years of age or older, the pupil of (i) the laws relating to special education, (ii) the rights of such parent, guardian, surrogate parent or pupil under such laws and the regulations adopted by the State Board of Education relating to special education, including the right of a parent, guardian or surrogate parent to (I) withhold from enrolling such

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child in kindergarten, in accordance with the provisions of section 10-184, (II) have advisors and the school paraprofessional assigned to such child or pupil attend and participate in all portions of such meeting at which an educational program for such child or pupil is developed, reviewed or revised, in accordance with the provisions of subparagraph (C) of this subdivision, (III) obtain the plain language resources available on the Department of Education's Internet web site pursuant to subsection (g) of section 10-76h explaining the hearing and appeals process, as provided in section 10-76h, available to such child or pupil if there is a disagreement about the individualized education program, identification, evaluation or educational placement of or the provision of a free appropriate public education to such child or pupil, and (IV) receive information regarding free and low-cost legal assistance, and (iii) any relevant information and resources relating to individualized education programs created by the Department of Education, including, but not limited to, information relating to transition resources and services for high school students and the Parent's Guide to Special Education in Connecticut developed by the department. If such parent, guardian, surrogate parent or pupil does not attend a planning and placement team meeting, the responsible local or regional board of education shall mail such information to such person. Each responsible local or regional board of education shall provide a child or pupil's individualized education program, any documents relating to such program and all the information required pursuant to this subparagraph translated into the primary language spoken by such parent, guardian, surrogate parent or pupil if there is an apparent need or upon the request of the parent, guardian, surrogate parent or pupil.

Sec. 9. Subsection (b) of section 10-76ll of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) On or before July 1, 2015, the State Board of Education shall draft

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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 until such children have graduated from high school or at the end of the school year during which such children [reaches] reach age twenty-two, whichever occurs first, under this chapter. 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 years of age until such child has graduated from high school or at the end of the school year during which such child reaches age twenty-two, whichever occurs first, (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 (l) of section 10-221a, and (4) the right of such child to receive realistic and specific postgraduation goals as part of such child's individualized education program.

Sec. 10. Subdivision (10) of section 10-222aa of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(10) "School climate improvement plan" means a building-specific plan developed by the school climate committee, in collaboration with the school climate specialist, using school climate survey data and any other relevant information, through a process that engages all members of the school community and involves such members in a series of overlapping systemic improvements, school-wide instructional practices and relational practices that prevent, identify and respond to challenging behavior, including, but not limited to, alleged bullying and harassment in the school environment.

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Sec. 11. Section 10-222dd of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

For the school year commencing July 1, 2025, and each school year thereafter, the superintendent of schools for each school district, or an administrator appointed by the superintendent, shall serve as the school climate coordinator for the school district. The school climate coordinator shall be responsible for (1) providing district-level leadership and support for the implementation of the school climate improvement plan for each school, developed pursuant to section 10-222hh, as amended by this act, (2) collaborating with the school climate specialist, as described in section 10-222ee, for each school to (A) develop a continuum of strategies to prevent, identify and respond to challenging behavior, including, but not limited to, alleged bullying and harassment in the school environment, and (B) communicate such strategies to the school community, including, but not limited to, through publication in the district student handbook, (3) collecting and maintaining data regarding school climate improvement, including, but not limited to, school discipline records, school climate assessments, attendance rates, social and emotional learning assessments, academic growth data, types of bullying complaints submitted by members of the school community, types of challenging behavior addressed using the restorative practices response policy, adopted pursuant to section 10-222jj, as amended by this act, and data concerning the implementation of restorative practices, and (4) meeting with the school climate specialist for each school at least twice during the school year to (A) identify strategies to improve school climate, including, but not limited to, by responding to challenging behavior and implementing evidence and research-based interventions, such as restorative practices, (B) propose recommendations for revisions to the school climate improvement plan, and (C) assist with the completion of the school climate survey.

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Sec. 12. Subdivision (9) of subsection (b) of section 10-222hh of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(9) For incidents of challenging behavior, as described in subdivision (6) of this subsection, (A) a requirement for a meeting between an administrator and the school employee who [witness] witnesses such incident, not later than two days after the date such incident occurred, to determine the supports and interventions required to address the needs of students and school employees, provided the supports and interventions for any student who receives special education shall be determined by the planning and placement team for such student and notice of such incident shall be submitted to the planning and placement team not later than two days after the date such incident occurred, and (B) a process by which a teacher may request a behavior intervention meeting pursuant to section 10-236c.

Sec. 13. Section 10-222jj of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

For the school year commencing July 1, 2025, and each school year thereafter, each local and regional board of education shall adopt a restorative practices response policy to be implemented by school employees for incidents of challenging behavior or student conflict that is nonviolent and does not constitute a crime. Such policy shall not include the involvement of a school resource [office] officer or other law enforcement official, unless such challenging behavior or conflict escalates to violence or constitutes a crime.

Approved May 21, 2024