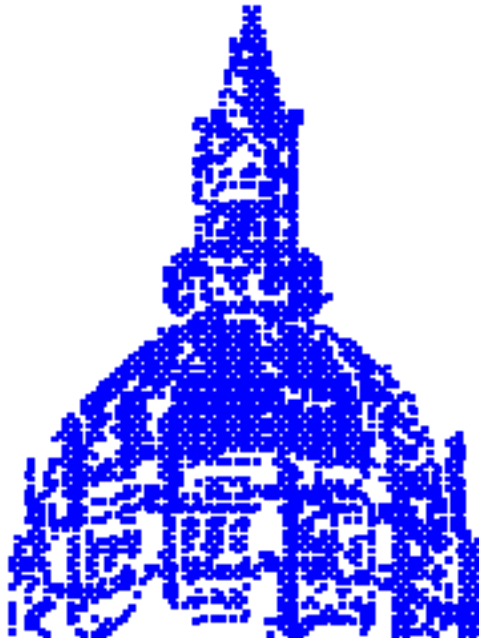


Office of Legislative Research  
Connecticut General Assembly



**OLR ACTS AFFECTING**

**EDUCATION**



Judith Lohman, Assistant Director  
2011-R-0303  
August 25, 2011

## **NOTICE TO READERS**

This report provides brief highlights of new laws affecting education enacted during the 2011 regular session. Each summary indicates the public act (PA) number and effective date.

Not all provisions of the acts are included here. Complete summaries of all 2011 public acts will be available when OLR publishes its Public Act Summary book; some are already on OLR's website ([www.cga.ct.gov/olr/OLRPASums.asp](http://www.cga.ct.gov/olr/OLRPASums.asp)).

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

# Table of Contents

<b>ACCOUNTABILITY AND ACHIEVEMENT .....</b>	<b>6</b>
Academic Achievement Gaps .....	6
High School Reform Delay .....	6
School Governance Councils.....	6
Tracking Unique Student Identifiers .....	7
Longer School Day and Year Authorized .....	7
Reading Program in Priority School Districts.....	7
Literacy Best Practices Pilot Study.....	7
School District Student Objectives.....	7
Model Curricula for Reading and Math .....	8
State Supervision of the Windham School District .....	8
<b>ATTENDANCE AND DISCIPLINE .....</b>	<b>8</b>
Juvenile Reentry and Education .....	8
Expelled Students Attending Adult Education .....	9
Truancy.....	9
Pilot Truancy Clinic in Waterbury.....	9
<b>CHARTER SCHOOLS.....</b>	<b>9</b>
Per-Student Grant Increase .....	9
Time Limit for Reviewing State Charter School Applications.....	10
New Charter School Funding Priorities .....	10
Charter School Educator Permit .....	10
<b>EARLY CHILDHOOD/SCHOOL READINESS.....</b>	<b>10</b>
Coordinated System of Early Care and Education.....	10
Child Care and School Readiness Responsibilities Transferred .....	11
Plan For Coordinating Child Day Care and School Readiness Services .....	11
Requirements for Early Childhood Educators .....	11
Excess Child Care Funds.....	12
School Readiness Program Administration.....	12
<b>GRANTS AND FUNDING.....</b>	<b>12</b>
Education Cost Sharing (ECS) Grants to Towns.....	12
Minimum Budget Requirement (MBR).....	12
Open Choice Program .....	12
Caps on Education Grants.....	13
School Breakfast Program Grants .....	13
Priority School District Grants .....	14
Priority School District Supplemental Grants.....	14
Fund Transfers to Implement the Sheff Settlement .....	14
Appropriation Amounts Reserved for Education Programs .....	14
Neighborhood Youth Center Grants .....	15
Equalized Net Grand List (ENGL) Adjustment .....	15
Task Force to Study the ECS Formula and Other School Finance Issues .....	16
<b>HEALTH AND SAFETY.....</b>	<b>16</b>
School Bullying and Cyberbullying .....	16
Reporting and Investigating Child Abuse and Neglect by School Employees .....	17

Carbon Monoxide Detectors .....	17
School Buses .....	18
School Bus Drivers .....	18
Health Assessments by Medical Professionals at Military Bases .....	18
School-Based Health Center Advisory Committee .....	18
<b>INTERDISTRICT MAGNET SCHOOLS .....</b>	<b>19</b>
Per-Pupil Operating Grants.....	19
Operating Grant for Edison Magnet School .....	19
Tuition at Hartford Host Magnets .....	19
Sheff Magnet School Transportation Grants.....	19
Magnet School Diversity Requirements .....	20
Payment Schedule for Interdistrict Magnet School Grants.....	20
Annual Financial Audits .....	20
Funds for the River Academy .....	20
Sheff Magnet School Start-Up Grants .....	20
<b>SCHOOL CONSTRUCTION .....</b>	<b>21</b>
School Construction Grants.....	21
Waiver of School Construction Project Audit Deficiencies .....	21
New School Construction Projects Authorized .....	22
Bond Authorizations for School Project Payments .....	22
Diversity School Projects.....	22
School Building Projects Advisory Council .....	22
Report on School Facilities Unit Merger .....	23
<b>SCHOOL DISTRICTS AND BOARDS OF EDUCATION .....</b>	<b>23</b>
Discrimination on the Basis of Gender Identity or Expression.....	23
Educating Students in Juvenile Detention Facilities .....	23
Disclosure of Educational Records to Juvenile Detention Facilities .....	24
Reporting On Efforts to Reduce, Racial, Ethnic, and Economic Isolation in Schools.....	24
School District Annual Expenditure Reports .....	24
High School Diplomas for Korean War Veterans.....	24
Information about Foster Children from Other Towns .....	24
Notice of Binding Arbitration Awards .....	25
American Sign Language .....	25
Genocide Education and Awareness .....	25
Public School Information System Access .....	25
Advanced Placement Courses .....	25
Uniform School Calendar and Regional Transportation Study.....	26
<b>SPECIAL EDUCATION .....</b>	<b>26</b>
Supplemental Special Education Excess Cost Grants .....	26
School-Based Child Health Program .....	26
Evaluation Delays.....	26
Special Education Advisory Council.....	27
Review of Special Education Costs.....	27
<b>STATE BOARD AND STATE DEPARTMENT OF EDUCATION .....</b>	<b>27</b>
Neighborhood Youth Center and LEAP Programs .....	27
Reporting Schedules and Deadlines .....	27
<b>TEACHERS AND ADMINISTRATORS .....</b>	<b>28</b>

Model Teacher Evaluation Guidelines .....	28
Substitute Teachers.....	28
Math Assessment for Elementary Education Certification .....	28
Professional Development .....	28
Private School Teaching Experience and Professional Certification.....	28
Nontenured Teachers' Notice of Contract Nonrenewal .....	29
Teacher Tenure in Cooperative Arrangements .....	29
International Teacher Permit Renewals .....	29
Junior Reserve Officer Training Corps (JROTC) Program Instructors.....	29
Durational Shortage Area Permits for National Teacher Corps Graduates .....	30
Waiver of Certain Certification Endorsement Limitation.....	30
Teachers' Retirement Board .....	30
<b>VOCATIONAL TECHNICAL (V-T) SCHOOLS AND VOCATIONAL- AGRICULTURE (VO-AG) PROGRAMS.....</b>	<b>30</b>
Donating Equipment to V-T Schools .....	30
Bond Authorization for the V-T System.....	30
Study of V-T School System .....	31
Transportation Grants for Former Wright Tech Students .....	31
Vo-Ag Education Center Tuition Freeze.....	31
Vo-Ag Education Center Grants .....	31
<b>HIGHER EDUCATION .....</b>	<b>32</b>
Higher Education Reorganization.....	32
In-State Tuition Benefits.....	32
UConn Health Center Facilities Plan .....	32
UConn Technology Park .....	33
Bond Authorizations for the Community-Technical Colleges .....	33
Higher Education Administrative Spending Limits .....	33
Strategic Plan for Higher Education .....	34
Discrimination Based on Gender Identity or Expression .....	34
CSUS 2020 Project Reallocation.....	34
Connecticut Health and Educational Facilities Authority (CHEFA) .....	34
Disclosure to Prospective Student Athletes .....	34
Alignment of Postsecondary Education and Employment.....	35
Connecticut Independent College Student (CICS) Grant Program.....	35
Capitol Scholarship Grant Program .....	35
Student Loan Reimbursements.....	36
Learn Here, Live Here Program .....	36
Kirklyn M. Kerr Veterinary Program.....	36
College Transition Pilot Programs .....	36
Private Occupational School Student Protection Account.....	37
Plan for Operating Cost Savings and Efficiencies at UConn and the UConn Health Center.....	37
<b>LIBRARIES .....</b>	<b>37</b>
State Library Operating Grants.....	37
Distribution of Legislative Documents.....	37

## **ACCOUNTABILITY AND ACHIEVEMENT**

### ***Academic Achievement Gaps***

A new law defines “achievement gaps” as the existence of a significant disparity in the academic performance of students among and between (1) racial groups, (2) ethnic groups, (3) socioeconomic groups, (4) genders, and (5) English language learners and students whose primary language is English. It establishes an 11-member task force to (1) consider effective approaches to closing achievement gaps and (2) by July 1, 2012 develop a master plan to eliminate gaps. It also establishes a nine-member interagency council, headed by the lieutenant governor, to implement the plan and if necessary, recommend legislation related to it. Both bodies must file annual progress reports. **(PA 11-85, effective on passage)**

### ***High School Reform Delay***

A new law delays by two years the implementation of the secondary school reforms enacted in 2010 that (1) increase the minimum number of credits required to graduate from high school from 20 to 25, (2) require students to pass state exams in certain courses and complete a senior project in order to

graduate, (3) require school districts to offer students support and alternative ways to meet the new graduation requirements, and (4) require the SDE to develop end-of-year exams in various subjects.

The act also requires (1) the State Department of Education (SDE) to offer technical assistance to districts wishing to start implementing the new graduation requirements and (2) districts to establish a student success plan for each student starting in the sixth grade. **(PA 11-135, effective on passage)**

### ***School Governance Councils***

A new law modifies requirements for school districts to establish school governance councils for schools whose students do not meet academic performance standards. It exempts boards of education with low-achieving schools or schools in need of improvement that have only a single grade or that already have substantially similar school governance councils from the requirement to establish school councils according to the law. **(PA 11-135, effective on passage)**

### ***Tracking Unique Student Identifiers***

New legislation requires the SDE to require school districts to include unique identifiers or state-assigned student identifiers on student transcripts and public and independent higher education institutions receiving state funding to track such identifiers for all in-state students enrolled at the institution until the student graduates or is no longer enrolled. (PA 11-70, effective August 31, 2011)

### ***Longer School Day and Year Authorized***

New legislation specifically permits local or regional boards of education for schools designated as low-achieving under the state accountability law to increase the number of school sessions each year and the number of school hours each day in order to improve student performance and remove the school from the list of low-achieving schools. (PA 11-85, effective July 1, 2011)

### ***Reading Program in Priority School Districts***

A 2011 act makes several changes to the law requiring all priority school districts to provide a summer reading program for kindergarten students, reading assessments of young students, and individual reading plans to

improve literacy. Changes include extending the assessments and summer school program to kindergarteners, requiring school literacy teams to monitor reading plans, and requiring three annual reading assessments of first-through-third-graders rather than two. (PA 11-85, effective July 1, 2011)

### ***Literacy Best Practices Pilot Study***

New legislation authorizes the education commissioner to (1) conduct a pilot study to promote best practices in early literacy and closing academic achievement gaps and (2) identify schools to participate in the study. The pilot study may use various assessment tools and assess students more frequently than otherwise required. SDE can research and evaluate participating schools and with the help of external groups or organizations and report by October 1, 2013. (PA 11-85, effective July 1, 2011)

### ***School District Student Objectives***

A new law requires local and regional boards of education to annually establish the student objectives for each school year. (PA 11-85, effective July 1, 2011)

### ***Model Curricula for Reading and Math***

New legislation requires SDE, by July 1, 2012, to approve and make available model curricula and frameworks in reading and mathematics for grades prekindergarten to four for use by local and regional school districts or individual schools that SDE identifies as having academic achievement gaps. The curricula and frameworks must be culturally relevant, research-based, and aligned with student achievement standards adopted by the SDE. (**PA 11-85**, effective July 1, 2011)

### ***State Supervision of the Windham School District***

A new law requires the State Board of Education (SBE) to assign a special master to administer the Windham school district's educational operations to help it achieve adequate yearly progress as a district in reading and math as required by the federal No Child Left Behind Act. The special master must: (1) collaborate with the Windham board of education and school superintendent to implement the district's improvement plan; (2) manage and allocate the district's federal, state, and local funds; and (3) report regularly to the SBE on the (a) district's progress in implementing its improvement plan and (b) effectiveness of the Windham school board and superintendent.

The act delegates to the special master the SBE's authority to take several actions in Windham to improve student performance and gives the SBE and the special master access to all the district's records, facilities, communications, and meetings, including school board executive sessions, that relate to the special master's authority under the act.

Finally, the act establishes a special procedure for reopening and renegotiating collective bargaining agreements to allow the Windham school board to present proposed revisions in salary, hours, and employment conditions to implement the district's improvement plan. It establishes an expedited negotiation and arbitration process and special decision criteria for an arbitrator to decide any issues on which the parties reach an impasse and it requires the arbitrator, in making a decision, to give the highest priority to the state's educational interests as they relate to the children of Windham. (**PA 11-61**, effective on passage)

## **ATTENDANCE AND DISCIPLINE**

### ***Juvenile Reentry and Education***

A new law (1) expands a student's right to re-enroll in his or her old school district after being sent to a juvenile detention center, the Connecticut Juvenile Training School, or another



residential placement for committing an offense for which he or she could be expelled from school; (2) requires school districts to immediately enroll or re-enroll a student transferring from either of the unified school districts run by the departments of Correction and Children and Families (USD #1 and USD #2, respectively); and (3) requires school districts and charter schools to give students credit for instruction received in USD #2 within 30 days after receiving the student's records. (**PA 11-115**, effective July 1, 2011)

### ***Expelled Students Attending Adult Education***

A 2011 act specifies that a student age 16 or older and expelled for the first time need not withdraw from regular public school to attend adult education as part of an alternative educational opportunity during the expulsion. It also expressly allows such an expelled student to enroll in an adult education program without the approval of his or her school principal. (**PA 11-126**, effective July 1, 2011)

### ***Truancy***

A new law requires school districts to take additional measures to address truancy and to report annually on their truancy reduction activities. It requires SBE, by July 1, 2012, to adopt uniform definitions of excused and unexcused

absences for districts to use in implementing required truancy policies and filing truancy data reports.

It also requires a school superintendent to file a Family with Service Needs complaint within 15 days after a parent fails to attend a required meeting with school officials or otherwise fails to cooperate in addressing his or her child's school absences. (**PA 11-136**, effective July 1, 2011)

### ***Pilot Truancy Clinic in Waterbury***

New legislation allows the probate court administrator to establish a pilot truancy clinic in Waterbury to identify and resolve the systemic causes of school absenteeism using nonpunitive procedures. It also authorizes (1) the administrative judge to refer any truancy clinic matter to a probate magistrate or attorney probate referee and (2) probate magistrates or attorney probate referees to hear these matters. (**PA 11-177**, effective on passage)

## **CHARTER SCHOOLS**

### ***Per-Student Grant Increase***

New legislation increases the state grant for each student attending a state charter school by \$100, from \$9,300 to \$9,400. (**PA 11-48**, effective July 1, 2011)

### ***Time Limit for Reviewing State Charter School Applications***

The legislature extended, from 75 to 90 days after it receives the application, the deadline for the SBE to review and vote to approve or disapprove an application to establish a state charter school. (**PA 11-179**, effective on passage)

### ***New Charter School Funding Priorities***

A 2011 act adds a new factor to those SBE must use to prioritize which newly approved charter schools receive state funding. It adds, as the most important factor, the quality of the school's proposed program as measured against criteria required by the statutory charter school application process and applies the priority requirements to local as well as state charter schools. (**PA 11-179**, effective on passage)

### ***Charter School Educator Permit***

New legislation establishes a charter school educator permit and allows the SBE to issue such a permit to someone who (1) is employed by a charter school as a teacher or administrator, (2) lacks state certification for the position, and (3) meets certain qualifications. It allows permit holders working as administrators to supervise and

evaluate anyone providing instructional or pupil services in the school.

It limits the number who may hold the permit in any school year to no more than 30% of a charter school's teachers and administrators combined.

The act makes anyone holding a charter school educator permit a member of the appropriate teachers' or administrators' unit for collective bargaining purposes and requires permit holders to join the Teachers' Retirement System when they obtain state educator certificates. (**PA 11-60** and **PA 11-234**, effective July 1, 2011)

### ***EARLY CHILDHOOD/SCHOOL READINESS***

#### ***Coordinated System of Early Care and Education***

By July 1, 2013, a new law creates a coordinated system of early care and education and child development and requires the governor to appoint a planning director to develop a plan to implement the new system. The act lists the new system's duties and requires various state agencies to assist the planning director in the plan's development. It (1) requires the system to collaborate with local and regional early childhood councils to implement the system at the local level and (2) lists the childhood councils' duties in the

collaboration. (**PA 11-181**, effective July 1, 2011)

### ***Child Care and School Readiness Responsibilities Transferred***

New legislation eliminates the Department of Social Services' (DSS) school readiness program role in (1) providing direct subsidies to providers for child care slots and (2) awarding grants to school readiness programs for quality enhancements and transfers these functions to SDE. The act also makes the education commissioner, instead of the DSS commissioner, responsible for administering the child care facilities loan guarantee program and the child care facilities direct revolving loan program. (**PA 11-44**, effective July 1, 2011)

### ***Plan For Coordinating Child Day Care and School Readiness Services***

An act requires the education and social services commissioners to develop a plan to coordinate DSS-administered child day care services and the school readiness program administered by SDE into a coordinated early care and education program. The plan must address eligibility, slot rates, and program requirements, and include recommendations to maintain and the mission and integrity of DSS' existing child care subsidy

program. (**PA 11-48** as amended by **PA 11-61**, effective July 1, 2011)

### ***Requirements for Early Childhood Educators***

A new law makes several changes to the required qualifications for early childhood educators. It modifies the (1) staff qualification requirements that are in effect until July 1, 2015 and (2) criteria for eligible degree programs and certifications.

With certain exceptions, it also delays, from July 1, 2015 until July 1, 2020, the requirement that programs have a person in each classroom with a teaching certificate or bachelor's degree in certain fields. It instead requires (1) at least 50% of early childhood educators with primary responsibility for a classroom to meet this requirement by July 1, 2015 and (2) the remaining individuals to have an associate's degree.

The act specifically allows up to \$500,000 in unexpended school readiness funds each fiscal year to be used in the subsequent fiscal year to help early childhood education programs' staff members meet the degree requirements and allows staff members to receive up to \$5,000 per year for this purpose. (**PA 11-54**, effective July 1, 2011)

### ***Excess Child Care Funds***

Instead of lapsing, a new law requires any unused funds appropriated in the budget for FY 12 to the SDE for child care services to continue to be available for school readiness programs in FY 13. The excess must be distributed according to statutory requirements for distributing school readiness funds. (**PA 11-48**, effective July 1, 2011)

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

The act extends, through FY 13, SDE's authority to retain \$198,200 of the priority school district school readiness grant appropriation for coordination, program evaluation, and administration. (**PA 11-48**, effective on passage)

## **GRANTS AND FUNDING**

### ***Education Cost Sharing (ECS) Grants to Towns***

The budget act overrides the statutory formula for calculating ECS grants and specifies each town's ECS grant for FY 12 and FY 13. Under the act, each town's grant is the same as for FY 10 and FY 11. (**PA 11-6**, effective on passage)

### ***Minimum Budget Requirement (MBR)***

For FY 12, a new act requires towns receiving ECS grants to budget for education at least the amount they budgeted in FY 11 plus any reduction made to offset federal money paid directly to their boards of education under the 2009 federal stimulus act. For FY 13, they must budget at least the amount they budgeted in FY 12. But, it allows a town to reduce its MBR (1) by up 0.5% of its prior year's budget appropriation if it has falling enrollment or, if it has no high school and pays tuition for fewer students to attend high school in other districts and (2) by an amount determined by the education commissioner if in FYs 11, 12, or 13, it permanently closes one or more schools because of falling enrollment in those schools.

The act bars a town from reducing its MBR if its school district has (1) either persistently failed to meet annual federal and state student achievement standards for reading or math or met the standards only through the alternate method known as "safe harbor" or (2) has a poverty rate for school-aged children that exceeds 10%. (**PA 11-48**, as amended by **PA 11-234**, effective July 1, 2011)

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

A new law increases maximum state grants to school

districts that enroll students from other districts under the Open Choice program from a flat \$2,500 for each out-of-district student to from \$3,000 to \$6,000 per student depending on the percentage of Open Choice students a district enrolls. In addition, after using the first \$500,000 of any excess funds for supplemental grants to districts that have at least 10 Open Choice students attending the same school, the act allocates the next \$500,000 to supplemental pro rata grants to receiving districts that report enrolling more Open Choice students than the year before. And it requires the education commissioner to use any remaining excess funds to increase Open Choice enrollment. **(PA 11-48**, effective July 1, 2011)

### ***Caps on Education Grants***

The act continues existing caps on certain state education formula grants to school districts and regional education service centers (RESCs) for two more fiscal years, through June 30, 2013. The caps require grants to be proportionately reduced if their state budget appropriations do not cover the full amounts required by the statutory formulas.

The caps apply to grants for:

1. health services for private school students;
2. transportation for public and private school students;

3. adult education;
4. bilingual education programs;
5. regional education service center (RESC) operations;
6. special education costs and excess costs, other than such grants for state-placed students for whom no financially responsible district can be identified (“no-nexus students”); and
7. excess regular education costs for state-placed children educated by local and regional boards of education. **(PA 11-48**, effective July 1, 2011)

### ***School Breakfast Program Grants***

A new law makes more schools eligible for state school breakfast grants by reducing the qualifying percentage of free and reduced-price lunches served from at least 40% to at least 20%. **(PA 11-48**, effective July 1, 2011)

Another act requires school districts to (1) repay school breakfast grants not spent for allowable purposes instead of giving the education commissioner discretion over whether to require repayment and (2) file annual financial statements as the commissioner requires rather than by specified date. **(PA 11-135**, effective July 1, 2011)

**Priority School District Grants**

The budget act distributes the priority school district (PSD) grant appropriation to state education programs in the amounts shown in the table below.

<i>Grant</i>	<i>FY 12</i>	<i>FY 13</i>
Priority School Districts	\$40,319,326	\$39,792,940
School Readiness	69,813,189	69,813,190
Extended School Building Hours	2,994,752	2,994,752
School Accountability	3,499,699	3,499,699

(PA 11-6, effective July 1, 2011)

**Priority School District Supplemental Grants**

The state budget reduced the total annual funding for a supplemental PSD grant to all priority districts by \$523,665, from \$3,740,573 to \$3,216,908 for FY 12 and by a further \$287,544, from \$3,216,908 to \$2,929,364, for FY 13. It appears that, under the act, for FY 14 and thereafter, the annual funding is set at \$3,217,908.

Another act extends the existing allocation of \$2,610,798 in additional supplemental PSD grants to the three largest school districts (Bridgeport, Hartford, and New Haven) for FY 12 and FY 13. (PA 11-6 and PA 11-48, both effective July 1, 2011)

**Fund Transfers to Implement the Sheff Settlement**

The act gives the education commissioner authority to transfer funds appropriated for the *Sheff* settlement to (1) the V-T schools for programming and (2) grants for (a) interdistrict cooperative programs, (b) state charter schools, (c) the Open Choice program, and (d) interdistrict magnet schools. (PA 11-48, effective on passage)

**Appropriation Amounts Reserved for Education Programs**

The act earmarks certain amounts from various line items in SDE’s budget for particular purposes as shown in the following table. (PA 11-6, effective July 1, 2011)

<i>SDE Line Item Appropriation for</i>	<i>Reserved for</i>	<i>Amount</i>	
		<i>FY 12</i>	<i>FY 13</i>
Regional Education Services	Alternative route to certification program	\$313,181	\$313,181
Health and Welfare Services for Pupils at Private Schools	Evaluation of the health services delivered to students in both public and private nonprofit schools	\$20,000	\$20,000

SDE Line Item Appropriation for	Reserved for	Amount	
		FY 12	FY 13
School Accountability	PSAT examinations for students in (1) District Reference Group (DRG) I; (2) state vo-tech schools; and (3) Ansonia, Coventry, East Hartford, Putnam, and Stamford	\$200,000	\$200,000
After-School Program	Plainville School District	Up to \$50,000	Up to \$50,000
	Thompson school district	Up to \$25,000	Up to \$25,000
	Montville school district	Up to \$25,000	Up to \$25,000
Headstart-Early Childhood Link	Action for Bridgeport Community Development, Inc.'s Total Learning Initiative	Up to \$1,200,000	Up to \$1,200,000
Interdistrict Cooperative	Sound School in New Haven	Up to \$331,000	Up to \$331,000
	Bristol-Plymouth Regional Technical School abuse education program	Up to \$150,000	Up to \$150,000

### **Neighborhood Youth Center Grants**

The budget act directs the SDE to provide the following grants in each year from its FY 12 and FY 13 appropriations for neighborhood youth centers:

1. \$990,000 for the Boys and Girls Clubs of Connecticut, with up to \$90,000 to the Boys and Girls Club of Bridgeport, contingent on the

- organizations providing a 100% cash match for the grants; and
2. funds for the following organizations, contingent on their matching at least 50%, with a cash match of at least 25%, of the grant amount:
    - up to \$348,300 for Centro San Jose, Hill Cooperative Youth Services, Inc., and Central YMCA in New Haven;
    - up to \$78,300 for Trumbull Gardens in Bridgeport;
    - up to \$45,000 for the Valley Shore YMCA in Westbrook;
    - up to \$22,500 for the Rivera Memorial Foundation, Inc. of Waterbury; and
    - up to \$22,500 for the Willow Plaza Neighborhood Revitalization Zone Association in Waterbury. **(PA 11-6**, effective July 1, 2011)

### **Equalized Net Grand List (ENGL) Adjustment**

ENGL is an estimate of the market value of a town's taxable real and personal property, equalized to reflect taxation at 100% of fair market value. ENGL is a factor in state distribution formulas for various wealth-based grants to municipalities, including ECS grants and reimbursements for local school construction projects. New legislation requires the Office of

Policy and Management (OPM) to adjust its annual ENGL calculation for towns opting to phase in an increase in assessed values for real property after a revaluation thereby precluding any temporary distortions in town exclude wealth rankings and grant distribution formulas. (PA 11-48, effective on passage)

### ***Task Force to Study the ECS Formula and Other School Finance Issues***

A 2011 act establishes a 12-member task force, appointed by the governor and legislative leaders, to study the ECS formula and related issues in light of state constitutional requirements. Although the task force must focus on the ECS formula, it must also consider (1) state grants to interdistrict magnet schools and regional agricultural science and technology centers and (2) special education costs for the state and municipalities. (PA 11-48, effective on passage)

## **HEALTH AND SAFETY**

### ***School Bullying and Cyberbullying***

A new law expands the types of conduct that constitute school bullying and requires school officials to investigate and address it whether it occurs in or, in certain circumstances, outside of school. It expressly bars bullying based on the

student's actual or perceived "differentiating" characteristics, such as race, gender, sexual orientation, or physical appearance. It also bars "cyberbullying," which is bullying using electronic communications or devices.

The act (1) makes the school principal responsible for investigating or designating someone to investigate and address bullying whether it occurs in- or out-of-school, if it affects the school or students in the school or school district and (2) requires all school employees, not just teachers and administrators, to report bullying incidents they see or that are reported to them to the principal or his or her designee.

It requires schools and school districts to (1) establish deadlines for reporting, investigating, and notifying parents and guardians about bullying incidents; (2) prohibit retaliation against those who report bullying; and (3) require school officials to notify police when they believe bullying conduct constitutes a crime.

The act requires certified and noncertified employees, as well as certain contractors, working in public schools to receive annual training in how to identify, intervene, and prevent bullying and suicide among students.

Finally, the act requires (1) each school to carry out a biennial assessment of its school climate, using instruments disseminated by SDE; (2) school



superintendents and principals to designate staff members and school committees to be responsible for school climate and responses to bullying in each school and district; and (3) SDE to establish a statewide network to provide resources, materials, and training on school bullying to school districts in the state. (PA 11-232, effective July 1, 2011)

### ***Reporting and Investigating Child Abuse and Neglect by School Employees***

The legislature expanded the laws on reporting and investigating suspected child abuse and neglect, with particular focus on a school employee who is the alleged perpetrator and the local or regional school district's response.

The new law expands the state's "mandated reporter" law, which generally requires specified professionals to report to the Department of Children and Families (DCF) or local law enforcement when they suspect that children have been abused or neglected. It requires: (1) DCF, in consultation with SDE, to craft a model mandated reporter policy for school boards to use to train school personnel; (2) the DCF commissioner to (a) offer a refresher reporter training program; (b) within available funding, provide training to all new school employees; and (c) develop a policy for investigating

the school's mandated reporters who either fail to report or report late; and (3) school boards to take certain steps to ensure that school districts offer reporter training.

The act also establishes additional steps to be followed when the alleged perpetrator of the abuse or neglect is a school employee, including notification of certain school personnel and SDE.

It (1) requires school boards to require applicants for any position in the public schools to submit to a check of DCF's child abuse registry; (2) requires DCF to develop a plan to implement this requirement and submit it to the legislative committees of cognizance; (3) requires teachers, when first applying or renewing their state teaching certification, to submit to registry checks; and (4) allows disclosure of certain information in the registry. (PA 11-93, effective July 1, 2011 except the DCF plan for implementing registry check for school position applicants is effective on passage)

### ***Carbon Monoxide Detectors***

A new act prohibits the building inspector from issuing a certificate of occupancy to any public or nonpublic school issued a building permit for new occupancy after January 1, 2012, unless the local fire marshal or building official certifies that the building is equipped with carbon monoxide

(CO) detection and warning equipment complying with the Fire Safety Code.

The act protects municipalities, boards of education, and nonpublic schools and their agents, employees, or officers, acting without malice, in good faith, and in the scope of their employment or official duties, from liability for damage resulting from the failure to detect CO within a public school building if the CO detection equipment is installed and maintained according to the manufacturer's published instructions and the regulations adopted under the act. **(PA 11-248**, effective July 1, 2011)

### ***School Buses***

A new law exempts any new school bus (1) registered between August 1 and the start of the school year immediately following and (2) that has already been inspected, from further inspection until September of the next year. **(PA 11-130**, effective July 1, 2011)

Another act eliminates a requirement that school buses used for an activity other than carrying children cover any lettering identifying the bus. **(PA 11-213**, effective July 1, 2011)

### ***School Bus Drivers***

A new law (1) requires school bus operators to remove a driver from a school bus within 48 hours, rather than 10 days, after

learning that the Department of Motor Vehicles (DMV) has suspended or revoked his or her license or school bus endorsement and (2) bars school buses, except in limited circumstances, from driving in the far left lane of designated sections of certain limited access highways. **(PA 11-213**, effective July 1, 2011)

### ***Health Assessments by Medical Professionals at Military Bases***

The act allows advanced practice registered nurses and physician assistants stationed on military bases to perform required health assessments for students attending public schools. **(PA 11-179**, effective on passage)

### ***School-Based Health Center Advisory Committee***

A new law replaces a committee on school-based health centers (SBHCs) with a new SBHC advisory committee that must help the health commissioner develop recommendations for statutory and regulatory changes for improving health care through access to SBHCs. The committee includes (1) the commissioners, or their designees, of public health, social services, mental health and addiction services, and education and (2) three SBHC providers appointed by the board of directors of the

Connecticut Association of School-Based Health Centers.

The committee must meet at least quarterly and report annually starting, by January 1, 2012, to the Public Health and Education committees. **(PA 11-242**, effective on passage)

## **INTERDISTRICT MAGNET SCHOOLS**

### ***Per-Pupil Operating Grants***

A 2011 act freezes state per-pupil operating grants for certain interdistrict magnet schools at the FY 11 level for two years, through FY 13.

For magnet schools that help the state meet the requirements of the *Sheff v. O'Neill* settlement, the act freezes per-pupil grants at: (1) \$13,054 for each student from outside Hartford who attends a school run by the Hartford school district (“Hartford host magnets”) and (2) \$10,443 per pupil for those run by RESCs or other entities (“RESC magnets”) that enroll less than 60% of their students from Hartford.

For host magnet schools run by school districts other than Hartford, the act freezes per-pupil operating grants at \$6,730 for each enrolled student from outside the host town. **(PA 11-48**, effective July 1, 2011)

### ***Operating Grant for Edison Magnet School***

The budget act extends for an additional two years the higher per-student state magnet school operating grant for each Meriden student attending the Thomas Edison Interdistrict Magnet School in Meriden, allowing the school to continue to receive \$3,833 rather than \$3,000 for each Meriden student enrolled in the school through FY 13. **(PA 11-6**, effective July 1, 2011)

### ***Tuition at Hartford Host Magnets***

A 2011 act extends, for an additional two years, the prohibition against Hartford host magnets charging tuition to districts sending students to those schools. **(PA 11-48**, effective July 1, 2011)

### ***Sheff Magnet School Transportation Grants***

New legislation extends for two more years the higher state grant limit of \$2,000 per student for districts transporting students to interdistrict magnet schools to help meet *Sheff* goals, as determined by the education commissioner. For FY 11, it also allows the education commissioner, after a financial review, to provide supplemental transportation grants to RESCs to transport students to *Sheff* interdistrict magnet schools. **(PA 11-48**, effective July 1, 2011 for

the extension of the higher *Sheff* transportation grant for districts; and upon passage for the supplemental grants for RESCs)

### ***Magnet School Diversity Requirements***

A new law allows an interdistrict magnet school that is not in compliance with the state's magnet school minority enrollment law because of changes in the federal racial and ethnic reporting requirements to maintain its status as an interdistrict magnet school and remain eligible for magnet school operating grants, if it submits a compliance plan to the education commissioner that he approves.

SDE must submit its recommendations to amend the statutory racial minority enrollment requirements for interdistrict magnet schools to conform with changes in the federal law to the Education Committee, by January 1, 2013. The plan must reflect the regional demographics of the interdistrict magnet schools and the diverse racial, ethnic, and socio-economic needs of the student populations attending them. (PA 11-48, effective on passage)

### ***Payment Schedule for Interdistrict Magnet School Grants***

The legislature adjusted the payment schedule for state operating grants for interdistrict

magnet schools. It requires SDE to pay 70%, rather than 50%, of the grant by September 1, and the balance on May 1, instead of January 1, annually. SDE must base the second payment on revisions of October 1 enrollment data as of the following March 1. (PA 11-179, effective on passage)

### ***Annual Financial Audits***

A new law requires all interdistrict magnet schools, not just those operated by RESCs, to file annual financial audits with the education commissioner. (PA 11-179, effective July 1, 2011)

### ***Funds for the River Academy***

A 2011 act makes funds available for developing magnet school programs at the River Academy at Goodwin College in East Hartford during FY 12 and FY 13, respectively. (PA 11-48, effective July 1, 2011)

### ***Sheff Magnet School Start-Up Grants***

The legislature authorized up to \$6.25 million in general obligation (GO) bonding in FY 12 for grants for *Sheff* magnet school program start-up costs, including purchasing a building or portable classrooms, leasing space, and purchasing equipment, including computers and classroom furniture, provided that title to any such building that ceases to be used as an interdistrict magnet school

may revert to the state as the education commissioner determines. (**PA 11-57**, effective July 1, 2011)

## **SCHOOL CONSTRUCTION**

### ***School Construction Grants***

New legislation divides, between SDE and a newly created Department of Construction Services (DCS), responsibility for school construction grant applications. The act makes DCS responsible for most of the process while maintaining the education commissioner's responsibility to evaluate projects for compliance with certain educational requirements and assign priority categories.

The act also makes several changes in the requirements and reimbursement rates for state-funded school construction projects, including:

1. reducing reimbursement rates for building a new or replacement school to 10% to 70% of the eligible cost from 20% to 80%, unless a district can show that new construction is less expensive than renovating or remodeling an existing school;
2. reducing the maximum reimbursement rate for new interdistrict magnet schools and vo-ag centers from 95% to 80%;

3. generally barring previously approved projects, other than V-T projects, from requesting more than one legislative reauthorization for a change in cost or scope;
4. requiring the DCS commissioner to set a maximum cost per-square-foot for school construction by county and allowing him or her to reject any application for a project that exceeds it;
5. eliminating eligibility for projects at the Connecticut Science Center;
6. allowing the legislative project review committee to modify the annual school project priority list for any reason; and
7. requiring the DCS commissioner to cancel grant commitments made before July 1, 2010 if projects do not begin construction by April 30, 2015. (**PA 11-51** as amended by **PA 11-61**, effective July 1, 2011)

### ***Waiver of School Construction Project Audit Deficiencies***

A new law allows the DCS commissioner to waive any deficiencies found in an audit of a regular or interdistrict magnet school construction project, when he or she determines such a waiver is in the state's best interest. (**PA 11-61**, effective July 1, 2011)

### ***New School Construction Projects Authorized***

The legislature (1) authorized \$284.9 million in grant commitments for 22 new local school construction, vocational agriculture (vo-ag), and interdistrict magnet school projects; (2) reauthorized and changed grant commitments for five previously authorized projects with significant changes in cost and scope with a total net increase in grant commitments of \$1.85 million; and (3) exempted specified school construction projects from various statutory and regulatory requirements to allow them to qualify for state grants. **(PA 11-57**, effective on passage)

### ***Bond Authorizations for School Project Payments***

The legislature authorized up to \$523 million in new GO bonds for school construction project reimbursements in FY 12 and up to \$584 million for FY 13. For school construction interest subsidy grants, the legislature authorized up to \$13.4 million for FY 12 and up to \$8.3 million for FY 13. **(PA 11-57**, effective July 1, 2011 for the FY 12 authorizations and July 1, 2012 for the FY 13 authorizations)

### ***Diversity School Projects***

New legislation provides special school construction

grants for districts that have one or more schools with minority enrollments that exceed the district-wide percentage of minority enrollment for the same grades by more than 25%. The grant must reimburse such districts for 80% of the eligible project cost. To qualify, (1) the diversity school must be open to all students living in the district and (2) the school board must demonstrate that it has made a good faith effort to correct the disparity, as determined by the education commissioner. When the school opens, if the commissioner determines the district has not made significant progress in correcting the enrollment disparity, the district may be required to repay the difference between the 80% reimbursement and the district's regular project reimbursement rate, plus interest, in equal annual payments over 20 years. **(PA 11-57**, effective on passage)

### ***School Building Projects Advisory Council***

The legislature established a five-member School Building Projects Advisory Council to (1) meet at least quarterly to discuss school building project matters; (2) develop model blueprints for new projects; (3) conduct studies, research, and analyses; and (4) recommend improvements to the school building projects process to the governor and the Appropriations, Education, and

Finance committees. (**PA 11-51**, effective July 1, 2011)

### ***Report on School Facilities Unit Merger***

A new law requires the SDE and DCS commissioners to each report on (1) the status of the merger of SDE functions into DCS; (2) the status of school construction regulations; (3) outstanding issues regarding the division of duties between SDE and DCS; (4) recommendations for strengthening DCS's audit functions; and (5) recommendations for further legislative action. (**PA 11-51**, effective July 1, 2011)

### **SCHOOL DISTRICTS AND BOARDS OF EDUCATION**

#### ***Discrimination on the Basis of Gender Identity or Expression***

New legislation requires public schools to be open to all children and to give them an equal opportunity to participate in school activities, programs, and courses of study without discrimination on account of gender identity or expression. It also prohibits boards of education from discriminating on the basis of gender identity or expression in employing or paying teachers. It authorizes the Commission on Human Rights and Opportunities to investigate claims of discrimination against students on the basis of gender identity or expression by public

schools. (**PA 11-55**, effective October 1, 2011)

### ***Educating Students in Juvenile Detention Facilities***

This act makes local and regional boards of education responsible for providing, and paying part of the cost of, regular and special education and related services for students held in juvenile detention centers operated by, or under contract with, the Judicial Department. It requires the school district where a detention facility is located to provide educational services, either directly or under contract with public or private educational service providers and in accordance with state and federal education laws.

Under the act, the student's home district or, if no such district can be identified, the district where the detention center is located must pay a basic contribution towards the cost of the student's education equal to its average per pupil cost for the previous year, with the SBE responsible for paying any additional cost.

The student's home district must pay a basic contribution for the student even if he or she has (1) been suspended or expelled from school by that district or (2) withdrawn, dropped out, or otherwise terminated school enrollment there. (**PA 11-51**, effective July 1, 2011)

### ***Disclosure of Educational Records to Juvenile Detention Facilities***

When a student is being held at the Connecticut Juvenile Training School or in a community detention facility, new legislation requires the school district where the student is enrolled and in compliance with federal regulations, to provide the student's educational records to the facility on request and without the parent's written permission. If the records are supplied without parental permission, the school must notify the parent or guardian at the same time it releases the records. The records may not be further disclosed without a court order or the written consent of the student's parent or guardian.

The facility can use the records only to provide the detainee with educational services. (PA 11-157, effective October 1, 2011)

### ***Reporting On Efforts to Reduce, Racial, Ethnic, and Economic Isolation in Schools***

A new law simplifies the process and changes the schedule for required biennial school district reports on programs and activities to reduce racial, ethnic, and economic isolation by requiring school districts to report directly to the commissioner instead of through the RESCs. (PA 11-179, effective on passage)

### ***School District Annual Expenditure Reports***

New legislation eliminates an obsolete requirement that districts adjust reported debt service expenditures to amortize principal payments according to an SDE-approved schedule. The amortized debt payments were used in calculating district ECS minimum expenditure requirements (MER) but the MER was replaced by the minimum budget requirement in 2005. (PA 11-179, effective on passage)

### ***High School Diplomas for Korean War Veterans***

A new act allows school boards to award high school diplomas to veterans of the Korean hostilities who did not receive them because they left high school for military service. The authority applies to honorably discharged veterans who served actively from June 27, 1950 to October 27, 1953, in the United States Army, Navy, Marine Corps, Coast Guard, or Air Force or any of their reserve components, including the Connecticut National Guard. (PA 11-17, effective July 1, 2011)

### ***Information about Foster Children from Other Towns***

The act requires DCF, when asked by school boards that have foster children from other towns attending school under the



boards' jurisdiction, to provide the foster child's name, birth date, and school of origin. (**PA 11-93**, effective October 1, 2011)

### ***Notice of Binding Arbitration Awards***

A new law adds the legislative body of a town to the list of officials and entities to which an education arbitrator must send a copy of a teacher or administrator binding arbitration award. In a town in which the legislative body is a town meeting or representative town meeting, the notice must be sent to the board of selectmen. (**PA 11-125**, effective July 1, 2011)

### ***American Sign Language***

Public schools must offer instruction in specified subjects, including language arts and, at least on the secondary level, one or more foreign languages. A new law act (1) changes the term "foreign language" to "world language," (2) classifies American Sign Language as a world language instead of as an optional offering within language arts, and (3) eliminates signed English as an optional offering. (**PA 11-136**, effective July 1, 2011)

### ***Genocide Education and Awareness***

New legislation requires the SBE to make curriculum and other materials on genocide

education and awareness available to, and encourage its inclusion in, school districts' (1) instructional programs for students and (2) in-service training programs for certified teachers, administrators, and other pupil personnel. (**PA 11-136**, effective July 1, 2011)

### ***Public School Information System Access***

A new law requires the education commissioner to give school superintendents or their designees access to students' mastery test information in the state's public school information system. The access must be limited to determining examination dates, scores, and levels of achievement only for those students enrolled in or transferring into a superintendent's school district. (**PA 11-136**, effective July 1, 2011)

### ***Advanced Placement Courses***

New legislation allows school districts to choose additional types of programs to meet an existing state requirement that, starting in the 2011-12 school year, they offer an "advanced placement course program" that allows students to earn college credit in high school. In addition to advanced placement (AP) courses for which the College Board offers an AP examination, districts may provide any high school course, including those for

which AP exams are available, that (1) offers college- or university-level instruction for which students may earn college credit and (2) is approved by the SBE. (**PA 11-136**, effective on passage)

### ***Uniform School Calendar and Regional Transportation Study***

A new law requires the RESC Alliance to study the feasibility of implementing a uniform school calendar and regional school transportation services and report its findings and recommendations to the governor by October 15, 2011. (**PA 11-48**, effective July 1, 2011)

## **SPECIAL EDUCATION**

### ***Supplemental Special Education Excess Cost Grants***

The budget act allocates additional funds for FY 12 and FY 13 to supplement a state grant that reimburses school districts for certain costs of special education and related services. The supplemental grant provides additional reimbursement for costs that exceed (1) for children placed by state agencies, the district's average per-pupil educational cost for the previous school year and (2) for locally placed children, 4.5 times that average. The act lists the specific additional grant each school district must receive and requires

each to receive the same amount in both years. (**PA 11-6**, effective July 1, 2011)

### ***School-Based Child Health Program***

Federal law requires school districts to identify all children with disabilities who need special education and related services. Districts must provide the related services and, for Medicaid-eligible students, bill DSS for their cost. DSS (1) bills the federal government for 100% of what the district spends, (2) keeps one-half of the reimbursement, and (3) passes the other half to the district. These services are diagnostic, evaluative, and rehabilitative in nature.

New legislation requires DSS to amend its Medicaid state plan for this program to maintain and enhance, to the extent allowed, federal matching funds associated with costs through a service-specific, rather than the "bundling" of services, billing method. The act requires the DSS commissioner to notify each school district in writing of any change in policy or billing procedure within 30 days after the change's effective date. (**PA 11-44**, effective on passage)

### ***Evaluation Delays***

By law, school districts must evaluate children to determine their eligibility for special education and related services. A new law requires the evaluation

to be conducted without delay and according to state and federal special education laws. (**PA 11-235**, effective July 1, 2011)

### ***Special Education Advisory Council***

The legislature expanded the membership of the Advisory Council for Special Education by adding one representative each from the (1) Office of Protection and Advocacy for Persons with Disabilities, (2) Commission on Children's Parent Leadership Training Institute, and (3) DSS' Bureau of Rehabilitation Services. (**PA 11-235**, effective on passage)

### ***Review of Special Education Costs***

The legislature required the education commission to carry out a comprehensive review of state-mandated special education requirements, including examining who is best suited to bear the burden of proof in special education eligibility disputes. The act requires the education commissioner to report by February 1, 2012, to the Education and Planning and Development committees. The report must identify each state-mandated special education requirement that exceeds the minimum required under federal law and municipalities' cost of compliance. (**SA 11-9**, effective on passage)

## **STATE BOARD AND STATE DEPARTMENT OF EDUCATION**

### ***Neighborhood Youth Center and LEAP Programs***

A 2011 act transfers the administration of the neighborhood youth center and the Leadership, Education, and Athletics in Partnership (LEAP) grant programs from OPM to SDE. It requires SDE rather than OPM to solicit competitive proposals for neighborhood youth center grants and convene an advisory committee to help review grant applications. It eliminates the OPM representative from the committee. (**PA 11-48**, effective July 1, 2011)

### ***Reporting Schedules and Deadlines***

The legislature changed schedules for filing the following statutorily required education reports to the General Assembly or the Education Committee, in general, reducing their filing frequency:

- After-School Program Report: submission date changed from October 1 to December 1 biennially
- Youth Service Bureau Report: annual to biennial
- Charter School Report: annual to biennial
- School Readiness Reports from local councils to SDE:

twice a year to once every two years

- Summary school readiness reports from SDE to the Education Committee: annual to biennial
- School Facilities Report: biennial to triennial
- School Paraprofessional Advisory Council Report: quarterly to annual (**PA 11-136**, effective July 1, 2011)

## **TEACHERS AND ADMINISTRATORS**

### ***Model Teacher Evaluation Guidelines***

A new law moves up, to July 1, 2012 from July 1, 2013, the deadline for the SBE, in consultation with the Performance Evaluation Advisory Council, to adopt guidelines for a model teacher evaluation program. (**PA 11-135**, effective July 1, 2011)

### ***Substitute Teachers***

A new act allows the education commissioner to waive a statutory requirement that substitute teachers employed by local and regional boards of education have bachelor's degrees. The commissioner may do so for good cause at the request of a school superintendent. (**PA 11-27**, effective July 1, 2011)

### ***Math Assessment for Elementary Education Certification***

A new law requires anyone seeking certification as an elementary education teacher to achieve a satisfactory evaluation on the appropriate SDE-approved math assessment. (**PA 11-85**, effective July 1, 2011)

### ***Professional Development***

The legislature (1) expanded the professional development programs of SDE's State Education Resource Center, to include teachers and (2) required the programs to include research-based child development and reading instruction tools and practices. The new law also requires the center to develop strategies for assisting students who are in danger of failing and culturally relevant methods for educating students whose primary language is not English. (**PA 11-85**, effective July 1, 2011)

### ***Private School Teaching Experience and Professional Certification***

A new law:

1. allows teachers to continue to use, or in the case of student teaching to start using, teaching experience at an SBE-approved private school to obtain Connecticut certificates;

2. requires teachers holding professional certificates who work in private schools to meet the same continuing education requirements as public school teachers; and
3. allows certified teachers working in private schools approved by the education commissioner to be cooperating teachers, provided they pay to participate and the private school receives no state funds for cooperating teacher professional development activities.

The act also gives public school teachers first priority to enroll in the cooperating teacher program. (**PA 11-127**, effective July 1, 2011)

### ***Nontenured Teachers' Notice of Contract Nonrenewal***

The act delays, from April 1 to May 1, the annual deadline for school districts to notify teachers who do not have tenure that their contracts will not be renewed for the following year. By law, unless it terminates a nontenured teacher for cause, a school district must continue the teacher's contract for the following year if it fails to notify him or her in writing of nonrenewal by the statutory deadline. (**PA 11-136**, effective July 1, 2011)

### ***Teacher Tenure in Cooperative Arrangements***

A new act preserves teachers' tenure and credited service toward tenure when their employing board enters a cooperative arrangement to provide educational services and their employment is transferred from a member district to a committee administering the arrangement (**PA 11-135**, effective July 1, 2011)

### ***International Teacher Permit Renewals***

The legislature removed the limit on the number of times the education commissioner can renew a temporary international teacher permit at the request of a local or regional board of education. The act allows the commissioner to renew a permit as long as, at the time of the renewal, the foreign teacher maintains a valid J-1 visa. (**PA 11-179**, effective on passage)

### ***Junior Reserve Officer Training Corps (JROTC) Program Instructors***

New legislation allows a board of education to employ in a school as a JROTC Program instructor or assistant instructor anyone who is certified as such by the U.S. armed forces. (**PA 11-179**, effective on passage)

### ***Durational Shortage Area Permits for National Teacher Corps Graduates***

The legislature extended, from July 1, 2011 to July 1, 2015, the expiration date for a program allowing qualified graduates of a national teacher corps training program, such as Teach for America, to work under special durational shortage area permits issued by SDE in regular public and charter schools in Bridgeport, Hartford, and New Haven and in state charter schools in Stamford. (PA 11-179, effective July 1, 2011)

### ***Waiver of Certain Certification Endorsement Limitation***

A new law authorizes the education commissioner, at a school board's request, to allow a certified teacher who holds an elementary education endorsement to teach a specialized course, such as computer and information technology, in a kindergarten-through-grade-eight school in the district. The teacher must be (1) otherwise qualified to teach the specialized course and (2) employed in the K-8 school by the school board making the request. (PA 11-136, effective July 1, 2011)

### ***Teachers' Retirement Board***

The legislature increased the membership of the Teachers' Retirement Board from 12 to 14

and altered its composition by removing the DSS commissioner and adding the state treasurer and OPM secretary as ex officio members. The act also makes the treasurer, OPM secretary, and education commissioner voting members and adds a fourth actively teaching TRS member. (PA 11-48, effective on passage)

### **VOCATIONAL TECHNICAL (V-T) SCHOOLS AND VOCATIONAL-AGRICULTURE (VO-AG) PROGRAMS**

#### ***Donating Equipment to V-T Schools***

A new law allows the education commissioner to indemnify individuals, businesses, organizations, or other groups that donate tangible personal property with a fair market value of more than \$1,000 to the SDE or V-T schools for instructional purposes. Indemnification does not cover liability for (1) a donor's deliberate misconduct or (2) hidden defects the donor knew about but failed to disclose to SDE or the V-T system when making the gift. (PA 11-114, effective on passage)

#### ***Bond Authorization for the V-T System***

The legislature authorized up to \$28 million in annual bonding or FY 12 and FY 13 for the V-T system. The funds must be used for building and grounds

alterations and improvements, including new and replacement equipment, tools, and supplies needed to update curricula, vehicles, and technology upgrades at all schools. (**PA 11-57**, effective July 1, 2011 and July 1, 2012)

### ***Study of V-T School System***

The legislature established a 16-member task force to study the finances, management, and enrollment structure of the V-T system. The study must provide a cost-benefit analysis of (1) maintaining and strengthening the existing system; (2) developing stronger articulation agreements between the V-T schools and community colleges; (3) transferring control of schools to RESCs, local or regional school districts, or community colleges; and (4) maintaining or transferring V-T adult programs. (**PA 11-48** as amended by **PA 11-61**, effective on passage)

### ***Transportation Grants for Former Wright Tech Students***

The budget act continues a separate supplemental state grant to reimburse school districts for actual costs up to \$2,500 per-pupil for FY 12 and FY 13 for transporting students who previously attended or were accepted for enrollment in the J.M. Wright Technical High School in Stamford so they may attend Henry Abbott Technical

High School in Danbury. (**PA 11-6**, effective July 1, 2011)

### ***Vo-Ag Education Center Tuition Freeze***

A new law extends the \$9,687 foundation amount in the ECS formula from FY 12 to FY 13. Since local or regional school districts that operate vo-ag centers may charge sending districts per-student tuition based on a percentage of this figure, the act effectively freezes maximum vo-ag center tuition. (**PA 11-48**, effective July 1, 2011)

### ***Vo-Ag Education Center Grants***

The act requires SDE to allocate, for FYs 12 and 13, \$500,000 for grants to local and regional school districts operating vo-ag centers. The money must be used for the following statutory grants: (1) \$500 per student for vo-ag centers with more than 150 out-of-district students attending the program, (2) a four-year phase-out grant for vo-ag centers that no longer serve more than 150 out-of district students, and (3) \$60 per student for vo-ag centers that do not qualify under (1) or (2). (**PA 11-48**, effective July 1, 2011)

## **HIGHER EDUCATION**

### ***Higher Education Reorganization***

A new law reorganizes the state system of higher education by establishing a 19-member (including 15 voting members) Board of Regents for Higher Education (BOR) to serve as the governing body for the Connecticut State University System (CSUS), the community-technical colleges (CTC), and Charter Oak State College. It allows the board to appoint and remove staff responsible for its own operation and the operation of these constituent units. BOR replaces the existing CSUS and CTC boards of trustees and the Board of State Academic Awards (BSAA) (which governs Charter Oak). The act maintains UConn's board of trustees and makes changes to the budget process for UConn and the other constituent units.

The act eliminates the Board of Governors of Higher Education (BGHE) and the Department of Higher Education (DHE) and places DHE staff within (1) the BOR and (2) the newly established Office of Financial and Academic Affairs for Higher Education (OFAAHE), which is within BOR for administrative purposes only. It requires the new office to administer several programs formerly administered by DHE and BGHE.

The act also transfers, from the higher education commissioner and BGHE to the OFAAHE executive director and the SBE, respectively, authority for (1) approving applications for, and renewals of, private occupational schools; (2) revising or revoking school operating authority; and (3) licensing and accrediting private higher education institutions and their programs and granting such entities authority to award academic degrees. Under the act, BOR has this responsibility for public institutions. (**PA 11-48**, as amended by **PA 11-61**, effective July 1, 2011)

### ***In-State Tuition Benefits***

A new law allows individuals (including those without lawful immigration status) who meet certain criteria to pay in-state tuition rates at Connecticut's public colleges and universities. Such criteria include completing four years of high school in the state and graduating (or the equivalent). Individuals without lawful immigration status must file an affidavit with the college or university stating that they have applied to legalize their immigration status or will do so as soon as they are eligible. (**PA 11-43**, effective July 1, 2011)

### ***UConn Health Center Facilities Plan***

A new law increases previously authorized funding to



construct a new bed tower and renovate academic, clinical, and research space at UConn's John Dempsey Hospital. It increases existing bond authorizations by \$254.9 million by (1) authorizing \$262.9 million in new bonding under the UConn 2000 infrastructure program and (2) reducing, by \$8 million, existing GO bond authorizations for UConn health network initiatives. It also eliminates a requirement that UConn obtain \$100 million in federal, private, or other nonstate money before the bonds are issued and construction commences. In addition, the UConn Health Center must (1) contribute at least \$69 million from operations, special eligible gifts, or other sources toward the new construction and renovation project and (2) provide for the construction of a new ambulatory care center through private financing. (**PA 11-75**, effective on passage)

### ***UConn Technology Park***

The legislature authorized up to \$18 million in GO bonding in FY 12 and up to \$154.5 million in FY 13 for development of a technology park and related buildings at UConn. The act gives UConn authority to supervise all aspects of the project, including off-campus improvements, but requires it to work in consultation with the town of Mansfield concerning on and off-site utilities. (**PA 11-57**, effective July 1, 2011 and July 1, 2012)

### ***Bond Authorizations for the Community-Technical Colleges***

The legislature authorized up to \$47.32 million in GO bonds in FY 12 and up to \$66.72 million in FY 13 for various capital projects at the community-technical colleges, including (1) facilities alterations and improvements; (2) new and replacement instruction, research, or lab equipment; (3) the System Technology Initiative; and (4) projects at Northwestern, Housatonic, Norwalk, Naugatuck Valley, and Tunxis community colleges. The act also expands the allowable uses for funds from an existing authorization for the project at Northwestern. (**PA 11-57**, effective July 1, 2011 and July 1, 2012)

### ***Higher Education Administrative Spending Limits***

The budget act limits certain administrative spending by higher constituent units to no more than specified percentages of General Fund appropriations and operating fund spending in FYs 12 and 13. The limits do not apply to federal, private, capital bond, and fringe benefit funds. The higher education commissioner must monitor compliance and report his findings quarterly to the Higher Education and Appropriations committees. (**PA 11-6**, effective July 1, 2011)

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

A new law (1) modifies the requirements of the strategic master plan for higher education required by existing law; (2) renames the Blue Ribbon Commission originally formed to develop and implement the plan as the Planning Commission for Higher Education; (3) specifies that the commission must develop the plan and ensure its implementation, rather than develop and implement it as under prior law; and (4) restates and expands some existing plan requirements while eliminating others. **(PA 11-70**, effective on passage)

### ***Discrimination Based on Gender Identity or Expression***

New legislation requires, within the limits of authorized expenditures, that the policies of the state system of higher education be consistent with the goal of ensuring that no qualified person is denied the opportunity for higher education because of gender identity or expression. **(PA 11-55**, effective October 1, 2011)

### ***CSUS 2020 Project Reallocation***

The 2011 bond act adds a project at Southern Connecticut State University (SCSU) for additions and renovations to Buley Library to Phase I of the CSUS 2020 plan, a system-wide

capital improvement program. It funds the project by reallocating \$16,386,585 in bond authorizations from other projects. **(PA 11-57**, effective July 1, 2011)

### ***Connecticut Health and Educational Facilities Authority (CHEFA)***

New legislation allows CHEFA to issue bonds, notes, or other obligations that may be eligible for (1) tax credits or exemptions or payments from the federal government or (2) any other desired federal income tax treatment. **(PA 11-70**, effective on passage)

### ***Disclosure to Prospective Student Athletes***

Beginning January 1, 2012, new legislation requires any Connecticut college or university with an intercollegiate athletic program that recruits student athletes by soliciting them to apply to, enroll in, or attend the institution for the purpose of participating in intercollegiate athletics must (1) provide a hyperlink entitled “Student Athletes' Right to Know” on the front page of its official athletics website and (2) include a direct link to its web page in any written materials regarding the athletic program provided to student athletes. The hyperlink must link to a web page that contains information regarding

(1) athletic scholarships, (2) the renewal of and release from scholarships, and (3) sports-related medical expenses.

The act defines student athletes as individuals who attend an elementary, middle, or secondary school program of education or an institution of higher education and participate in any interscholastic athletic program in Connecticut, regardless of whether or not they receive a scholarship for doing so. (**PA 11-92**, effective July 1, 2011)

### ***Alignment of Postsecondary Education and Employment***

New legislation requires the Office of Workforce Competitiveness (OWC), every two years, to identify and report on the sectors or subsectors in which workforce shortages exist, the workforce skills needed in those sectors or subsectors, and which career pathways should be established.

It also requires the SDE to electronically distribute information on teacher shortage areas for at least the previous five-year period. This information must be distributed annually, by March 1, to the president of every higher education institution in Connecticut that offers teacher preparation programs. (**PA 11-33**, effective July 1, 2011, except the provisions relating to the OWC are effective October 1, 2011)

### ***Connecticut Independent College Student (CICS) Grant Program***

The budget act bars Yale University from receiving an annual allocation for student financial aid from the appropriation for CICS grants for FY 12 or FY 13. It also eliminates a grandfather provision that allowed for-profit institutions to receive a state funds allocation under the CICS grant program if they were participating in CICS as of June 30, 1983.

Finally, the act requires the executive director of OFAAHE, in consultation with financial aid and institutional research staff from participating independent institutions, to review the CICS program and, by January 1, 2012, present findings and recommendations to the Appropriations and Higher Education committees. (**PA 11-6**, amended by **PA 11-61**. The study is effective on passage; other provisions are effective July 1, 2011.)

### ***Capitol Scholarship Grant Program***

A new law places a moratorium for FY 12 and FY 13 on new students receiving financial assistance under the Capitol Scholarship grant program. Although students who received grants in FY 11 continue to receive assistance, the act requires grants to be proportionately reduced if total

program grants exceed the program's budgeted appropriation. (**PA 11-48**, effective July 1, 2011)

### ***Student Loan Reimbursements***

A new law revamps the income eligibility criteria for student loan reimbursements for Connecticut residents graduating from public colleges and universities with degrees in specified fields and eliminates the reimbursements for nondegree training certificates in these fields. It also expands the range of eligible degrees, but limits eligibility to residents working for a business related to their degree. (**PA 11-140**, effective July 1, 2011).

### ***Learn Here, Live Here Program***

New legislation allows the state to create an incentive program for certain graduates to stay in Connecticut after graduation and buy a first home here. The program is open to students who graduate on or after January 1, 2014 from (1) public colleges or universities in Connecticut who qualified as in-state students and paid the in-state tuition rate and (2) regional vocational-technical schools.

Under the program, eligible graduates can ask to have some of their income tax payments placed in a Connecticut first-time homebuyer's account for up to 10 years after graduation. The annual maximum of segregated

tax payments for a graduate is \$2,500, and the annual total for all program participants is \$1 million.

Participants can withdraw the segregated amounts to buy a first home in the state within 10 years after they graduated. The DECD commissioner may, by December 1, 2012, develop a comprehensive public education program, to inform recent graduates who would be eligible about the Learn Here, Live Here program. If developed, the program must include information on lifetime savings plans and home buying and DECD must begin to implement it by January 1, 2014. (**PA 11-140**, effective July 1, 2011)

### ***Kirklyn M. Kerr Veterinary Program***

A new law eliminates the repayment requirements of DHE's Kirklyn M. Kerr veterinary medicine grant program for in-state residents enrolled in an accredited veterinary graduate school. It also eliminates the statutory grant limits, which were up to \$20,000 per year and \$80,000 for a four-year period. (**PA 11-70**, effective July 1, 2011)

### ***College Transition Pilot Programs***

The act requires the education commissioner, in consultation with the higher education commissioner, to establish two college transition pilot programs.

One is an adult education program in three municipalities and the respective community colleges located in them. It must offer college preparatory classes to adults who (1) have a high school diploma or its equivalent and (2) require intensive postsecondary developmental education that will enable them to enroll directly, upon completing the pilot program, in a higher education institution program that awards college credit.

The other is at Hillhouse High School in New Haven and Gateway Community College. It is the same as the first except it is for high school students who have not yet gotten a high school diploma or equivalent. (**PA 11-48** as amended by **PA 11-61**, effective July 1, 2011)

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

The budget act overrides statutory restrictions to allow the DHE to spend \$301,000 in FY 12 and \$310,000 in FY 13 from the private occupational school student protection account. (**PA 11-6**, effective July 1, 2011)

### ***Plan for Operating Cost Savings and Efficiencies at UConn and the UConn Health Center***

The budget act requires UConn's president to identify cost savings and efficiencies in operations at UConn and the

UConn Health Center and submit a report with her recommendations, including recommendations for legislation, to the Higher Education and Appropriations committees by January 1, 2012. (**PA 11-6**, effective on passage)

## **LIBRARIES**

### ***State Library Operating Grants***

For FY 12 and FY 13, a new law continues to allow a public library to receive a state library operating grant even if its annual tax levy or appropriation has been reduced below the average amount for the three fiscal years immediately preceding the grant year. (**PA 11-48**, effective July 1, 2011)

Another act makes it a condition of receiving a grant that a library provide equal access to library services and not discriminate on the basis of gender identity or expression, among other requirements (**PA 11-55**, effective October 1, 2011)

### ***Distribution of Legislative Documents***

The act requires a specific request before printed copies of (1) the House and Senate journals and (2) printed copies of statutes and public and special acts are provided to county law libraries. It eliminates the requirement that the secretary of the state send a printed copy of

all favorably reported bills to the Library of Congress; UConn, Wesleyan University, and Quinnipiac University libraries; and Yale University's law library. She must still send a printed copy to the State Library and UConn law library.

The act also requires the State Library to send, upon request, electronic, rather than printed, copies of (1) bills to high schools and colleges and (2) various legislative documents to law libraries. (**PA 11-150**, effective July 1, 2011)

JL:ro