

1. Early Childhood Education: *Adjust admission date to Kindergarten, admitting only students who are 5 years of age on or before October 1; phase in over 4 years.*

- **Current Law:**
 - Requires public schools to register kindergartners who reach the age of five on or before January 1 of the school year.
 - Allows for parents to wait until their children are 6 or 7 to enroll in school.
- **Summary of Proposal:**
 - Phase in an adjustment to the admission date to Kindergarten over four years, eventually admitting only those students who are 5 years of age on or before October 1.
 - Eliminate the provision that allows for parents to wait to enroll their children in kindergarten until that child is age 6 or 7. While current law requires parents to go to the school to obtain that waiver, this is not standard practice.
 - A separate waiver provision, in current law, allows for local or regional school boards to vote to waive the minimum age requirement. This waiver will remain intact and will be expanded to allow for boards to also vote to waive the maximum age requirement, up to one year, on a case-by-case basis.
 - Phase in an increase in school readiness funds for those students in priority school districts who are 5 years of age between October 1 and January 1 (approximately 3300 students a year) that will no longer be eligible to enroll in kindergarten.
- **Note:** CT is one of only four states (California, Connecticut, Michigan, Vermont), the District of Columbia and the Virgin Islands have cut-off dates between December 1 and January 1. (See, <http://www.ecs.org/clearinghouse/79/58/7958.pdf>) Thirty-five states and Puerto Rico have kindergarten entrance cut-off dates between August 31 and October 16.

Sec. 1. Section 10-15c is repealed and the following is substituted in lieu thereof (Effective upon passage):

(a) The public schools shall be open to all children five years of age and over who (a) for the 2011-2012 school year, reach age five on or before the first day of January of [any] that school year; (b) for the 2012-2013 school year, reach age five on or before the first day of December of that school year; (c) for the 2013-2014 school year, reach age five on or before the first day of November of that school year; and (d) for the 2014-2015 school year, and each school year after, reach age five on or before the first day of October of that school year, and each such child shall have, and shall be so advised by the appropriate school authorities, an equal opportunity to participate in the activities, programs and courses of study offered in such public schools, at such time as the child becomes eligible to participate in such activities, programs and courses of study, without discrimination on account of race, color, sex, religion, national origin or sexual orientation; provided boards of education may, by vote at a meeting duly called, admit to any

school children under five years of age or, upon request of a parent or person having control of a child five years of age that is otherwise required to enroll in kindergarten that year pursuant to this subdivision, to allow such a child to delay entrance to kindergarten for up to one year.

(b) Nothing in subsection (a) of this section shall be deemed to amend other provisions of the general statutes with respect to curricula, facilities or extracurricular activities.

Sec. 2. Section 10-184 of the 2010 Supplement to the General Statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2012):

All parents and those who have the care of children shall bring them up in some lawful and honest employment and instruct them or cause them to be instructed in reading, writing, spelling, English grammar, geography, arithmetic and United States history and in citizenship, including a study of the town, state and federal governments. Subject to the provisions of this section and section 10-15c, each parent or other person having control of a child five years of age and over and under eighteen years of age shall cause such child to attend a public school regularly during the hours and terms the public school in the district in which such child resides is in session, unless such child is a high school graduate or the parent or person having control of such child is able to show that the child is elsewhere receiving equivalent instruction in the studies taught in the public schools. For the school year commencing July 1, 2011, and each school year thereafter, the parent or person having control of a child seventeen years of age may consent, as provided in this section, to such child's withdrawal from school. Such parent or person shall personally appear at the school district office and sign a withdrawal form. Such withdrawal form shall include an attestation from a guidance counselor or school administrator of the school that such school district has provided such parent or person with information on the educational options available in the school system and in the community. [The parent or person having control of a child five years of age shall have the option of not sending the child to school until the child is six years of age and the parent or person having control of a child six years of age shall have the option of not sending the child to school until the child is seven years of age. The parent or person shall exercise such option by personally appearing at the school district office and signing an option form.] The school district shall provide the parent or person with information on the educational opportunities available in the school system.

Sec. 3 (NEW) (*effective upon passage*)

For the 2011-2012 school year the Department of Education, in consultation with _____, shall prepare for the implementation of the changes adopted in Sections 1 and 2 of this act by (a) working with local and regional school boards and school readiness providers in priority school districts to ensure adequate capacity for those children that turn age five between December 1 and January 1 in the 2012-2013 school year who will not be able to enroll in kindergarten until the 2013-2014 school year and (b) implementing a communications plan to ensure that local and regional school boards, parents, and others understand the impact of this change in the statute.

2. Early Childhood Education: *Provide Flexibility for Distribution of Unallocated Competitive School Readiness Funds*

1. Current Law:

- a. Current law allows for the distribution of unallocated competitive school readiness funds to towns with two or more priority schools if they can provide additional spaces for children. The fifty poorest towns are also eligible to receive a competitive school readiness grant, however, they are currently ineligible to receive additional unallocated funds, even if they have the ability to serve more children.

2. Summary of Proposal:

- a. This proposal will allow for the distribution of unallocated competitive school readiness funds to *any* eligible grantee that may serve additional children.

3. Reason for Proposal:

- a. The current law only allows funds to go to towns with two or more priority schools even if other competitive school readiness grantees have the need and the capacity to serve additional children.
- b. This change would allow more children to be served in competitive school readiness communities.

4. Fiscal Impact:

- a. None

5. Draft Language

Section 10-16p(d) is repealed and the following is substituted in lieu thereof (Effective upon passage):

(d) (1) The Commissioner of Education, in consultation with the Commissioner of Social Services, shall establish a competitive grant program to provide spaces in accredited school readiness programs for eligible children who reside (A) in an area served by a priority school or a former priority school as provided for in subdivision (2) of this subsection, (B) in a town ranked one to fifty when all towns are ranked in ascending order according to town wealth, as defined in subdivision (26) of section 10-262f, whose school district is not a priority school district pursuant to section 10-266p, or (C) in a town formerly a town described in subparagraph (B) of this subdivision, as provided for in said subdivision (2). A town in which a priority school is located, a regional school readiness council, pursuant to subsection (c) of section 10-16r, for a region in which such a school is located or a town described in subparagraph (B) of this subdivision may apply for such a grant in an amount not to exceed one hundred seven thousand dollars per priority school or town. Eligibility shall be determined for a five-year period based on an applicant's designation as having a priority school or being a town described in subparagraph (B) of this subdivision for the initial year of application. Grant awards shall be made annually contingent upon available funding and a satisfactory annual evaluation. The chief elected official of such town and the superintendent of schools of the school district or the regional school

readiness council shall submit a plan, as described in subsection (c) of this section, for the expenditure of such grant funds to the Department of Education. In awarding grants pursuant to this subsection, the commissioner shall give preference to applications submitted by regional school readiness councils and may, within available appropriations, provide a grant in excess of one hundred seven thousand dollars to towns **[with two or more priority schools in such district]** seeking additional spaces in accredited school readiness programs for eligible children. A town or regional school readiness council awarded a grant pursuant to this subsection shall use the funds to purchase spaces for such children from providers of accredited school readiness programs.

3. Early Childhood Education: *Revise statute creating the Office of Early Childhood, for which funds have not been appropriated, and redistribute responsibilities to the Cabinet and SDE*

1. Current Law:

- a. In 2009, the Office of Early Childhood was created within the Department of Education in statute however no funds or positions to staff this office have been allocated.

2. Summary of Proposal:

- a. This proposal seeks to revise the statute that creates the office as well as the statute which governs the Early Childhood Cabinet to ensure that some of the tasks assigned to the office will be accomplished despite the lack of an office within the Department.

3. Reason for Proposal:

- a. The Office of Early Childhood does not exist in the Department at this time but there are responsibilities assigned to the office in which the Cabinet can accomplish and others that the Department can work on in collaboration with the Department of Social Services.

4. Fiscal Impact:

- a. None, however, appropriations are necessary to conduct the longitudinal evaluation of the school readiness programs, a task that is being assigned to the Department in consultation with the Department of Social Services.

5. Draft Language:

Section 1. Section 10-16y of the 2010 supplement to the general statutes, as amended by Public Act 10-71, is repealed and the following is substituted in lieu thereof:

[There shall be an Office of Early Childhood Planning, Outreach and Coordination within the Department of Education. The office shall be responsible for:

(1) Planning, developing and coordinating with other agencies the delivery of services to children birth to nine years of age, inclusive;

(2) Coordinating the enhancement and implementation of the Early Childhood Information System, in consultation with the Early Childhood Education Cabinet established pursuant to section 10-16z, with the capability of tracking: (A) The health, safety and school readiness of all children receiving early care and education from any local or regional board of education or any program receiving public funding, in a manner similar to the system described in section 10-10a; (B) the characteristics of the existing and potential workforce serving such children in any local or regional school district or in a program receiving any public funding; and (C) the characteristics of the programs in which such children are served. The Department of Education shall be responsible for assigning unique identifiers to all such children and staff and programs tracked by the Early Childhood Information System. Any local or regional board of

education, school readiness program, as defined in subdivision (1) of subsection (a) of section 10-16p receiving any public funding, or any child day care center described in subdivision (1) of section 19a-77 and licensed by the Department of Public Health, including any participating in a program administered by the Department of Social Services pursuant to chapter 319rr, shall ensure that all children and all staff in such center or program are entered into the Early Childhood Information System;

(3) Developing and reporting on an early childhood accountability plan, in consultation with the Early Childhood Education Cabinet;

(4) Implementing a communications strategy for outreach to families, service providers and policymakers;

(5) The Department of Education shall, within available appropriations, begin [Beginning] a state-wide longitudinal evaluation of the school readiness program, not later than [January 1, 2010] September 1, 2011, in consultation with the Department of Social Services, that examines the educational progress of children from prekindergarten programs to grade four, inclusive, including a study of the reliability and validity of the kindergarten assessment tool developed pursuant to subsection (h) of section 10-14n.; and

(6) Developing, coordinating and supporting public and private partnerships to aid early childhood initiatives.]

Sec. 2. Section 10-16z of the general statutes is repealed and the following is substituted in lieu thereof:

(a) There is established the Early Childhood Education Cabinet. The cabinet shall consist of: (1) The Commissioner of Education, or the commissioner's designee, (2) one representative from the Department of Education who is responsible for programs required under the Individuals With Disabilities Education Act, 20 USC 1400 et seq., as amended from time to time, appointed by the Commissioner of Education, (3) the Commissioner of Social Services, or the commissioner's designee, (4) a representative from an institution of higher education in this state appointed by the Commissioner of Higher Education, (5) the Commissioner of Public Health, or the commissioner's designee, (6) the Commissioner of Developmental Services, or the commissioner's designee, (7) the Commissioner of Mental Health and Addiction Services, or the commissioner's designee, (8) the executive director of the Commission on Children, or the executive director's designee, (9) the project director of the Connecticut Head Start State Collaboration Office, (10) a representative from a Head Start program appointed by the minority leader of the House of Representatives, (11) a representative of a local provider of early childhood education appointed by the minority leader of the Senate, (12) two appointed by the speaker of the House of Representatives, one of whom is a member of the House of Representatives and one of whom is a parent who has a child attending a school in a priority

school district, (13) two appointed by the president pro tempore of the Senate, one of whom is a member of the Senate and one of whom is a representative of a public elementary school with a prekindergarten program, (14) a representative of the business or philanthropic community in this state appointed by the Governor, and (15) the Secretary of the Office of Policy and Management, or the secretary's designee. The chairperson of the council shall be appointed from among its members by the Governor.

(b) Within available appropriations and such private funding as may be available, the Early Childhood Education Cabinet shall (1) coordinate among state agencies, as well as public and private partnerships, the development of services that enhance the health, safety and learning of children from birth to nine years of age, inclusive, (2) not later than December 1, 2009, and annually thereafter, develop an annual plan of action that assigns the appropriate state agency to complete the tasks specified in the federal Head Start Act of 2007, P.L. 110-134, as amended from time to time, (3) Coordinate the enhancement and implementation of the Early Childhood Information System, with the capability of tracking: (A) The health, safety and school readiness of all children receiving early care and education from any local or regional board of education or any program receiving public funding, in a manner similar to the system described in section 10-10a; and (B) the characteristics of the programs in which such children are served; (4) implement a communications strategy for outreach to families, service providers and policymakers; and ~~[(3)]~~ (5) not later than March 1, 2010, and annually thereafter, submit an annual state-wide strategic report, pursuant to said federal Head Start Act, in accordance with the provisions of section 11-4a, addressing the progress such agencies have made toward the completion of such tasks outlined under said federal Head Start Act and this subsection to the Governor and the joint standing committees of the General Assembly having cognizance of matters relating to education and human services.

(c) The Early Childhood Education Cabinet shall be within the Department of Education for administrative purposes only.

4. Sheff Settlement: *Revise “Innovation Schools” statute to allow for the creation of “Crandall Innovation Schools” that would provide districts in the Sheff region financial incentives to help meet the goals of the Sheff settlement using existing school buildings.*

1. Current Law:

- a. Allows for the creation of Innovation Schools in priority school districts.

2. Reason for Proposal:

- a. Due to declining enrollment and tight budgets, districts are closing schools. This proposal would seek to encourage districts in the Sheff region to utilize those buildings to create innovation schools under the new statute that would help the state meet its goals under the Sheff settlement. It would also allow districts to create innovation schools within an *existing* school for the same purpose.
- b. To be eligible for financial assistance from the state, the student population in the innovation school, or the innovation school within a school, must consist of at least 25% of students from Hartford. The remaining would be from students in the district operating such school. If the innovation school or school within a school is operated in Hartford, it would be eligible to receive financial assistance from the state if at least 25% of the student enrollment is non-minority.
- c. Districts that submit a plan approved by the Commissioner for such a school would receive financial assistance from the state in the form of:
 - i. A school construction reimbursement rate of 100% for renovating the innovation school for the purpose of providing an innovative theme/curriculum;
 - ii. A per pupil grant for each student from Hartford that enrolled in the school, or, if the school is operated in Hartford, a per pupil grant for each out of district student enrolled in the school.
 - iii. An operating grant of up to \$250,000 a year to assist in providing the innovative theme/curriculum of the school.
- d. Students attending the innovation school would be allowed to continue their education in the receiving district beyond the grade level served by the innovation school as OPEN Choice students.

3. Fiscal Impact:

- a. **State:** 2012-13: \$2 million for a pilot program of 2-3 schools.
- b. **Local:** Will vary.

4. Draft Language:

Section 6 of Public Act 10-111 is repealed and the following is substituted in lieu thereof (Effective upon passage):

- (a) A local or regional board of education for a school district identified as a priority school district, pursuant to section 10-266p of the general statutes, [or a local or regional board of](#)

[education that has not been identified as a priority school district that seeks to assist the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al.](#), may, through agreement with the organizations designated or elected as the exclusive representatives of the teachers' and administrators' units, as defined in section 10-153b of the general statutes, convert an existing public school into an innovation school, [or] establish a new school as an innovation school, [or establish a new innovation school within an existing school that continues to operate](#), in accordance with the provisions of this section, for purposes of improving school performance and student achievement. For purposes of this section, an innovation school is a school in which: (1) Faculty and district leadership are responsible for developing an innovation plan, as described in subsection (b) of this section, under which the school operates and the administrators of the school are responsible for meeting the terms of the innovation plan; or (2) an external partner is responsible for developing the innovation plan, as described in subsection (b) of this section, under which the school operates and the external partner is responsible for meeting the terms of the innovation plan. For purposes of this section, an external partner may include a public or private institution of higher education, nonprofit charter school operators, educational collaboratives or a consortia authorized by the Commissioner of Education that may include public or private institutions of higher education, parents, the organizations designated or elected as the exclusive representatives of the teachers' and administrators' units, as defined in said section 10-153b, superintendents or boards of education. The local or regional board of education shall decide whether the faculty and district leadership or an external partner is responsible for developing the innovation plan.

(b) (1) An innovation school established under this section shall operate according to an innovation plan. Such plan shall articulate the areas of autonomy and flexibility in curriculum, budget, school schedule and calendar, school district policies and procedures, professional development, and staffing policies and procedures, including waivers from or modifications to contracts or collective bargaining agreements. Such innovation plan shall be developed by the faculty and district leadership or an external partner by means of an innovation plan committee. Membership of the innovation plan committee developed by (A) faculty and district leadership shall consist of at least nine members, but not more than eleven members, (i) five of whom shall be selected by the local or regional board of education and shall include (I) the superintendent of schools for the school district, or his or her designee; (II) a member of the local or regional board of education, or his or her designee; (III) two parents who have one or more children enrolled in the school, or in the case of a new school, parents from the district; and (IV) the principal of the school, or, in the case of a new school and where a principal has not yet been hired, a principal from the school district in which the new school is located, (ii) two of whom shall be certified teachers of the school appointed by the exclusive bargaining representative of the teachers' unit chosen pursuant to section 10-153b of the general statutes, or, in the case of a new school and where no certified teachers have yet been hired, two certified teachers appointed by the exclusive bargaining representative of the teachers' unit chosen pursuant to section 10-153b of the general statutes, and (iii) not more than four of whom the local or regional board of education deems

appropriate; (B) an external partner shall consist of at least nine members, but not more than eleven members, (i) seven of whom shall be selected by the local or regional board of education and shall include (I) the superintendent of schools for the school district, or his or her designee; (II) a member of the local or regional board of education, or his or her designee; (III) two parents who have one or more children enrolled in the school, or, in the case of a new school, parents from the district; (IV) the principal of the school, or, in the case of a new school and where a principal has not yet been hired, a principal from the school district in which the new school is located; and (V) two of whom shall represent the external partner, (ii) two of whom shall be certified teachers of the school appointed by the exclusive bargaining representative of the teachers' unit chosen pursuant to section 10-153b of the general statutes, or, in the case of a new school and where no certified teachers have yet been hired, two certified teachers appointed by the exclusive bargaining representative of the teachers' unit chosen pursuant to section 10-153b of the general statutes, and (iii) not more than two of whom the local or regional board of education deems appropriate. A majority vote of the innovation plan committee shall be required for approval and implementation of the innovation plan.

(2) The innovation plan shall include, but not be limited to: (A) A curriculum plan that includes a detailed description of the curriculum and related programs for the proposed school and how the curriculum is expected to improve school performance and student achievement; (B) a budget plan, that includes a detailed description of how funds shall be used in the proposed school to support school performance and student achievement that is or may be different than how funds are used in other public schools in the district; (C) a school schedule plan that includes a detailed description of the ways the program or calendar of the proposed school may be enhanced or expanded; (D) a staffing plan, including any proposed waivers or modifications of collective bargaining agreements, subject to agreement with the exclusive bargaining representative for the certified employees employed at the school, chosen pursuant to section 10-153b of the general statutes, and in accordance with the provisions of subsection (c) of this section; (E) a policies and procedures plan that includes a detailed description of the unique operational policies and procedures to be used by the proposed school and how the procedures will support school performance and student achievement; and (F) a professional development plan that includes a detailed description of how the school may provide professional development to its administrators, teachers and other staff.

(3) In order to assess the proposed school across multiple measures of school performance and student success, the innovation plan shall include measurable annual goals, including, but not limited to, goals relating to the following: (A) Student attendance; (B) student safety and discipline; (C) student promotion and graduation and dropout rates; (D) student performance on the state-wide mastery examination, pursuant to section 10-14n of the general statutes; (E) progress in areas of academic underperformance; (F) progress among subgroups of students, including low-income students, limited English-proficient students and students receiving special education; and (G) reduction of achievement gaps among different groups of students.

(c) Nothing in this section shall alter the collective bargaining agreements applicable to the administrators, teachers and staff in the school, subject to the provisions of sections 10-153a to 10-153n, inclusive, of the general statutes, and such collective bargaining agreements shall be considered to be in operation at an innovation school, except to the extent the provisions are waived or modified in the innovation plan and agreed to by a two-thirds vote of the members of the exclusive bargaining representative employed or to be employed at the innovation school.

(d) Innovation schools authorized under this section shall be evaluated annually by the superintendent of schools for the school district. The superintendent shall submit the evaluation to the local or regional board of education and the Commissioner of Education. The evaluation shall determine whether the school has met the annual goals outlined in the innovation plan for the school and assess the implementation of the innovation plan at the school. The superintendent may amend or suspend one or more components of the innovation plan if the superintendent determines, after one year, an amendment is necessary because of subsequent changes in the school district that affect one or more components of such innovation plan. If the superintendent determines that the school has substantially failed to meet the goals outlined in the innovation plan, the local or regional board of education may: (A) Amend one or more components of the innovation plan; (B) suspend one or more components of the innovation plan; or (C) terminate the authorization of the school, provided the amending or suspension shall not take place before the completion of the second full year of the operation of the school and the termination shall not take place before the completion of the third full year of the operation of the school. Any amendment to or suspension of any component of the innovation plan that changes the contract of employment for any teacher employed at the school shall be approved by a two-thirds vote of the members of the exclusive bargaining representative for the teachers employed at the school prior to any such amendment or suspension of the innovation plan.

(e) The local or regional board of education shall allow a student who is enrolled in a school at the time it is established as an innovation school pursuant to this section to remain enrolled in the school if the student and the student's parents choose to have the student remain.

(f) (1) The Department of Education shall, within available appropriations, establish a pilot grant program for the 2012-2013 school year for those local or regional boards of education operating an innovation school or an innovation school within an existing school to assist the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al.

(2) Applications for the innovation school grants awarded pursuant to this section shall be submitted annually to the Commissioner of Education at such time and in such manner as the commissioner prescribes. In determining whether an application shall be approved and funds awarded pursuant to this section, the commissioner shall consider, but such consideration shall not be limited to: (A) Whether the program provides a reduced racial isolation educational program in compliance with the Sheff standard; (B) Whether the program offered by the school

is likely to increase student achievement; (C) Whether the program offered by the school is unique and will not adversely impact enrollment in a program already offered by an existing magnet school, technical high school, or regional vocational agriculture school in the region; and (D) The proposed operating budget and the sources of funding for the innovation school.

(3) (A) Each local or regional board of education operating an innovation school to assist the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. shall be eligible for a per pupil grant as follows: (i) an innovation school outside of Hartford that enrolls at least twenty five per cent of its students from Hartford shall be eligible to receive a per pupil grant for each Hartford resident student enrolled in the school of \$4,000; and (ii) and innovation schools operated in Hartford that enroll at least 25% non-minority students shall be eligible to receive a per pupil grant for each out-of-district student enrolled in the school of \$4,000.

(B) Each local or regional board of education operating an innovation school pursuant to this subsection shall allow the out-of-district students enrolled in such school to continue to attend school in that district until they graduate from high school, pursuant to section 10-266aa, regardless of what grades are offered at the innovation school.

(5) In the case of an out-of-district student who requires special education and related services, the sending district shall pay the receiving district an amount equal to the difference between the reasonable cost of providing such special education and related services to such student and the amount received by the receiving district pursuant to subdivision (3) of this subsection. The sending district shall be eligible for reimbursement pursuant to section 10-76g.

(6) The commissioner may, within available appropriations, provide operating grants for the purposes of enhancing educational programs in such innovation schools, up to \$250,000 a year.

(7) A local or regional board of education operating an innovation school that enrolls at least twenty five per cent of its students from Hartford or a Hartford innovation school that enrolls at least twenty five per cent non-minority students, to assist the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., may be eligible for reimbursement up to one hundred percent of the reasonable costs of any capital expenditure for the renovation, alteration or expansion of the school facilities for programmatic purposes, including any expenditure for the purchase of equipment, in accordance with this section. To be eligible for reimbursement under this section the project shall meet the requirements for a school building project established in chapter 173.

5. Sheff Settlement: *Resubmit proposal granting the Commissioner the authority to require districts to accept choice students*

1. Current Law:

- a. The Commissioner currently has no authority to require districts to accept choice students.

2. Data to support Proposal

- a. For the 2009-2010 school year, the Commissioner requested that districts in the Sheff region offer 709 new OPEN Choice seats. The total number of new seats offered for OPEN Choice for the 2009-2010 school-year was only 241.
- b. For the 2011-2012 school year, 700 new OPEN Choice seats are needed for the state to meet its goals.
- c. OPEN Choice is a much more cost effective way to integrate the Hartford region schools. Currently, districts receive \$2,500 per pupil with \$500,000 prorated among those districts where at least ten Choice students attend the same school. On the other hand, funding is available to provide Hartford with \$13,054 per suburban pupil and CREC with \$10,044/pupil for magnet school students in the Sheff region. In addition, magnet schools are eligible for school construction reimbursement at 95%.

3. Fiscal Impact:

- a. **Local:** None. The Commissioner would only require districts to offer seats for OPEN Choice where they have *the capacity* to do so.
- b. **State:** This proposal is not expected to have a fiscal impact on the state as the Commissioner would only require participation by the districts in the Sheff region at a level that is within our current services request for OPEN Choice for the 2011-2012 school year.

4. Draft Language

Subsection (e) of section 10-266aa is repealed and the following is substituted in lieu thereof (Effective upon passage):

(e) (1) Once the program is in operation in the region served by a regional educational service center pursuant to subsection (c) of this section, the Department of Education shall provide an annual grant to such regional educational service center to assist school districts in its area in administering the program and to provide staff to assist students participating in the program to make the transition to a new school and to act as a liaison between the parents of such students and the new school district. Each regional educational service center shall determine which school districts in its area are located close enough to a priority school district to make participation in the program feasible in terms of student transportation pursuant to subsection (f) of this section, provided any student participating in the program prior to July 1, 1999, shall be allowed to continue to attend the same school such student attended prior to said date in the

receiving district until the student completes the highest grade in such school. ~~[Each]~~ The Commissioner of Education shall annually, not later than February 1, require school districts that the commissioner determines are able to assist the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., to participate in the program at a minimum level to be prescribed by the commissioner. If requested by a local or regional school district, the commissioner may adjust such level based on criteria which may include, but are not limited to, past program participation levels and school building capacity. If a school district fails to participate at the level required by the commissioner, the commissioner may withhold from the grant payable under section 10-262i to such district's town or towns an amount equal to the per pupil grant in subsection (g) of this section for each seat not made available. For all other participating districts, each regional educational service center shall convene, annually, a meeting of representatives of such school districts in order for such school districts to report, by March thirty-first, the number of spaces available for the following school year for out-of-district students under the program. Annually, each such regional educational service center shall provide a count of such spaces to the Department of Education by April fifteenth.

(2) If there are more students who seek to attend school in a receiving district than there are spaces available, the regional educational service center shall assist the school district in determining attendance by the use of a lottery or lotteries designed to preserve or increase racial, ethnic and economic diversity, except that the regional educational service center shall give preference to siblings and to students who would otherwise attend a school that has lost its accreditation by the New England Association of Schools and Colleges or has been identified as in need of improvement pursuant to the No Child Left Behind Act, P. L. 107-110.

6. Sheff Settlement: *Revise funding provision for Open Choice students to provide financial incentives for increased participation by local districts and for districts to commit to offering seats earlier in the school year.*

1. Current Law

- a. Receiving districts currently receive \$2500 per Hartford pupil that enrolls in their district.

2. Summary of Proposal

- a. Incentives would be provided to districts that offer a certain percentage of seats and for those who commit seats earlier in the school year.
- b. For example, receiving districts that commit to offering a number of OPEN Choice seats greater than 3% of the district's population, will receive \$6,000 per student the following year (and for as long as that student remains enrolled in the district).
- c. In addition, districts that commit to offering their seats (of any amount) prior to March 1 will be eligible to share in a bonus set-aside of \$500,000.

3. Fiscal Impact:

- a. **Local:** None. Districts would be offering up seats that they had the capacity to fill.
- b. **State:**
 - **2011-2012:** \$3.9 million (this additional cost is based on the expectation that 2000 OPEN Choice seats would be offered)
 - **2012-2013:** \$5.9 million
 - **Note:** This additional cost is based on the expectation that 2000 OPEN Choice seats would be filled in the 2011-2012 school year and 2200 OPEN Choice seats would be filled in the 2012-2013 school year, which is what is required for the State to meet its goals that are required in the stipulated agreement.

4. Draft Language

Subsection (g) of section 10-266aa of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

(g) (1) [The] Notwithstanding the provisions of subdivision (2), the Department of Education shall provide, within available appropriations, an annual grant to the local or regional board of education for each receiving district in an amount not to exceed two thousand five hundred dollars for each out-of-district student who attends school in the receiving district under the program.

(2) For the fiscal year ending June 30, 2012, for and each fiscal year thereafter, the Department of Education shall provide, within available appropriations, an annual grant to the local or regional board of education for each receiving district that assists the state in meeting the goals

of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., as determined by the commissioner, an amount not to exceed (1) six thousand dollars for each out-of-district student who attends school in the receiving district under the program if the number of such out-of-district students are greater than or equal to three per cent of the total student population of such receiving district; (2) four thousand dollars for each out-of-district student who attends school in the receiving district under the program if the number of such out-of-district students are greater than or equal to two per cent of the total student population of such receiving district but less than three per cent, and (3) three thousand dollars for each out-of-district student who attends school in the receiving district under the program if the number of such out-of-district students are less than two per cent of the total student population of such receiving district.

(3) Each town which receives funds pursuant to this subsection shall make such funds available to its local or regional board of education in supplement to any other local appropriation, other state or federal grant or other revenue to which the local or regional board of education is entitled.

Subsection (k) of section 10-266aa of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

(k) On or before October fifteenth of each year, the Commissioner of Education shall determine if the enrollment in the program pursuant to subsection (c) of this section for the fiscal year is below the number of students for which funds were appropriated. If the commissioner determines that the enrollment is below such number, the additional funds shall not lapse but shall be used by the commissioner in accordance with this subsection. (1) Any amount up to five hundred thousand dollars of such nonlapsing funds shall be used for supplemental grants to receiving districts on a pro rata basis for each out-of-district student in the program pursuant to subsection (c) of this section who attends the same school in the receiving district as at least nine other such out-of-district students, not to exceed one thousand dollars per student; (2) Any amount up to five hundred thousand dollars of such nonlapsing funds shall be used for supplemental grants to receiving districts that reported before March 1 the number of spaces in excess of their prior year's participation available for that school year for out-of-district students on a pro rata basis; and (3) Any remaining nonlapsing funds shall be used for interdistrict cooperative grants pursuant to section 10-74d.

7. Sheff Settlement: *Revise statutes to implement one level of transportation reimbursement for school choice programs in the Sheff region.*

- 1. Current Law:**
 - a. Currently across choice programs there are multiple levels of reimbursements for transportation in the Sheff region.
- 2. Summary of Proposal:**
 - a. Repeal existing statutes that establish various reimbursement levels for transportation for choice programs in the Sheff region and establish one level of reimbursement for all providers.
- 3. Reason for Proposal:**
 - a. Entities are receiving various amounts of money for providing the same transportation services for various choice programs in the Sheff region.
- 4. Fiscal Impact:**
 - a. State:**
 - i. 2011-2012: \$8.7 million
 - ii. 2012-2013: \$9.3 million
- 5. Draft Language:**

Section 1 (NEW)

(a) The Department of Education shall provide grants to (1) a local or regional board of education, (2) regional educational service center, (3) the Board of Trustees of the Community-Technical Colleges on behalf of Quinebaug Valley Community College, (4) cooperative arrangement pursuant to section 10-158a, (5) the Board of Trustees of the Community-Technical Colleges on behalf of a regional community-technical college, (6) the Board of Trustees of the Connecticut State University System on behalf of a state university, (7) the Board of Trustees for The University of Connecticut on behalf of the university, (8) the board of governors for an independent college or university, as defined in section 10a-37, or the equivalent of such a board, on behalf of the independent college or university, and (9) any other third-party not-for-profit corporation approved by the commissioner which transports a child to an eligible out-of-district “school choice program”, as defined in subsection (b) of this section, to assist the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O’Neill, et al., as determined by the commissioner, shall be eligible to receive a grant for the cost of transporting such child in accordance with this section.

(b) For the purposes of this section, “school choice program” means (1) an interdistrict magnet school operating pursuant to section 10-264l, (2) the open choice program pursuant to section 10-266aa, (3) a vocational-technical school (4) a regional agriculture science and technology center, and (5) an innovation school that assist the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O’Neill, et al.

(c) The amount of such grant shall not exceed an amount equal to the number of such children transported multiplied by \$3,250.

(d) Grants under this section shall be contingent on documented costs of providing such transportation. Eligible entities identified in subsection (a) of this section shall submit applications for grants under this section to the Commissioner of Education in such form and at such times as he prescribes. Grants pursuant to this section shall be paid as follows: In October one-half of the estimated eligible transportation costs and the balance of such costs in May.

Sec. 2. Section 10-264i of the 2010 supplement to the general statutes shall be repealed and the following shall be substituted in lieu thereof:

(a)(1)(A) A local or regional board of education, (B) regional educational service center, (C) the Board of Trustees of the Community-Technical Colleges on behalf of Quinebaug Valley Community College, or (D) cooperative arrangement pursuant to section 10-158a, [or (E) to assist the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., as determined by the Commissioner of Education, (i) the Board of Trustees of the Community-Technical Colleges on behalf of a regional community-technical college, (ii) the Board of Trustees of the Connecticut State University System on behalf of a state university, (iii) the Board of Trustees for The University of Connecticut on behalf of the university, (iv) the board of governors for an independent college or university, as defined in section 10a-37, or the equivalent of such a board, on behalf of the independent college or university, and (v) any other third-party not-for-profit corporation approved by the commissioner] which transports a child to an interdistrict magnet school program, as defined in section 10-264l, in a town other than the town in which the child resides shall be eligible pursuant to section 10-264e to receive a grant for the cost of transporting such child in accordance with this section.

(2) [Except as provided in subdivisions (3) and (4) of this subsection, the] The amount of such grant shall not exceed an amount equal to the number of such children transported multiplied by one thousand three hundred dollars.

[(3) For districts assisting the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., as determined by the commissioner, (i) for the fiscal year ending June 30, 2010, the amount of such grant shall not exceed an amount equal to the number of such children transported multiplied by one thousand four hundred dollars, and (ii) for the fiscal year ending June 30, 2011, the amount of such grant shall not exceed an amount equal to the number of such children transported multiplied by two thousand dollars.

(4) For the fiscal year ending June 30, 2009, in addition to the grants otherwise provided pursuant to this section, the Commissioner of Education may provide supplemental transportation grants to regional educational service centers for the purposes of transportation to interdistrict magnet schools. Any such grant shall be provided within available appropriations and after the commissioner has reviewed and approved the total interdistrict magnet school transportation budget for a regional education service center, including all revenue and expenditure estimates.]

[(5)](3) The Department of Education shall provide such grants within available

appropriations. Nothing in this subsection shall be construed to prevent a local or regional board of education, regional educational service center or cooperative arrangement from receiving reimbursement under section 10-266m for reasonable transportation expenses for which such board, service center or cooperative arrangement is not reimbursed pursuant to this section.

(b) Grants under this section shall be contingent on documented costs of providing such transportation. Eligible entities identified in subdivision (1) of subsection (a) of this section shall submit applications for grants under this section to the Commissioner of Education in such form and at such times as he prescribes. Grants pursuant to this section shall be paid as follows: In October one-half of the estimated eligible transportation costs and the balance of such costs in May.

(c) Each eligible entity identified in subdivision (1) of subsection (a) of this section participating in the grant program shall prepare a financial statement of expenditures which shall be submitted to the Department of Education on or before September first of the fiscal year immediately following each fiscal year in which the school district, regional educational service center or cooperative arrangement participates in the grant program. Based on such statement, any underpayment or overpayment may be calculated and adjusted by the Department of Education in the grant for any subsequent year.

Sec. 3. Subdivision (5) of subsection (a) of section 10-266m of the 2010 supplement to the general statutes is repealed.

~~[(5) Notwithstanding the provisions of this section, the Commissioner of Education may provide grants, within available appropriations, in an amount not to exceed two thousand dollars per pupil, to local and regional boards of education and regional educational service centers that transport (A) out-of-district students to technical high schools located in Hartford, or (B) Hartford students attending a technical high school or a regional agricultural science and technology education center outside of the district, to assist the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., as determined by the commissioner, for the costs associated with such transportation.]~~

Sec. 4. Subsection (f) of section 10-266aa of the general statutes is repealed and the following is substituted in lieu thereof:

(f) (1) ~~Notwithstanding the provision in section 1 of this Act, [The] the~~ Department of Education shall provide grants to regional educational service centers or local or regional boards of education for the reasonable cost of transportation for students participating in the program. For the fiscal year ending June 30, 2003, and each fiscal year thereafter, the department shall provide such grants within available appropriations, provided the state-wide average of such grants does not exceed an amount equal to three thousand two hundred fifty dollars for each student transported, except that the Commissioner of Education may grant to regional educational service centers additional sums from funds remaining in the appropriation for such transportation services if needed to offset transportation costs that exceed such maximum amount. The regional educational service centers shall provide reasonable transportation services to high school students who wish to participate in supervised extracurricular activities. For purposes of this

section, the number of students transported shall be determined on September first of each fiscal year.

8. Sheff Settlement: *Make technical revisions to the OPEN Choice Statute to assist in the implementation of the program.*

1. Current Law:

- a. Subsection (b) of 10-266aa limits participation in the OPEN Choice program to students enrolled in public schools
- b. Subsection (e) of 10-266aa requires that preference be given to students who would otherwise attend a school that has lost its NEASC accreditation or have been identified in as in need of improvement under NCLB.
- c. In statute, the lottery is currently assigned to the RESC to op

2. Reason for Proposal:

- a. Students who previously attended private schools that reside in an city that participates in the OPEN Choice program should not be excluded from participating in the program. The students' residence, not previous school, should dictate whether they may participate in the program.
- b. Given the myriad of school choices in Hartford (and New Haven), it is very difficult to determine where a student would otherwise be attending. Currently, SDE staff have been making this determination based on where the student currently attends at the time of application which is not always the appropriate proxy for this measure.

3. Fiscal Impact:

- a. None.

4. Draft Language:

Subsection (b) of Section 10-266aa of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

(b) There is established, within available appropriations, an interdistrict public school attendance program. The purpose of the program shall be to: (1) Improve academic achievement; (2) reduce racial, ethnic and economic isolation or preserve racial and ethnic balance; and (3) provide a choice of educational programs [for students enrolled in the public schools]. The Department of Education shall provide oversight for the program, including the setting of reasonable limits for the transportation of students participating in the program, and may provide for the incremental expansion of the program for the school year commencing in 2000 for each town required to participate in the program pursuant to subsection (c) of this section.

Subsection (e) of Section 10-266aa of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

(e) Once the program is in operation in the region served by a regional educational service center pursuant to subsection (c) of this section, the Department of Education shall provide an annual grant to such regional educational service center to assist school districts in its area in administering the program and to provide staff to assist students participating in the program to

make the transition to a new school and to act as a liaison between the parents of such students and the new school district. Each regional educational service center shall determine which school districts in its area are located close enough to a priority school district to make participation in the program feasible in terms of student transportation pursuant to subsection (f) of this section, provided any student participating in the program prior to July 1, 1999, shall be allowed to continue to attend the same school such student attended prior to said date in the receiving district until the student completes the highest grade in such school. Each regional educational service center shall convene, annually, a meeting of representatives of such school districts in order for such school districts to report, by March thirty-first, the number of spaces available for the following school year for out-of-district students under the program. Annually, each regional educational service center shall provide a count of such spaces to the Department of Education by April fifteenth. If there are more students who seek to attend school in a receiving district than there are spaces available, the regional educational service center shall assist the school district in determining attendance by the use of a lottery or lotteries designed to preserve or increase racial, ethnic and economic diversity, except that the regional educational service center shall give preference to siblings [and to students who would otherwise attend a school that has lost its accreditation by the New England Association of Schools and Colleges or has been identified as in need of improvement pursuant to the No Child Left Behind Act, P. L. 107-110]. The admission policies shall be consistent with section 10-15c and this section. No receiving district shall recruit students under the program for athletic or extracurricular purposes. Each receiving district shall allow out-of-district students it accepts to attend school in the district until they graduate from high school.

9. Proposals to Reduce SDE Reporting Requirements: *Revise After School Program Biennial Reporting Requirement to Align with Grant Cycle*

1. Current Law:

- a. The current due date for the after school program report is misaligned with the two-year grant cycle.

2. Summary of Proposal:

- a. This proposal proposes to move the due date of the report to realign it with the two-year grant cycle.

3. Reason Proposal:

- a. The current due date of the report requires the Department to submit a program in the middle of the grant cycle for these programs. Grants were awarded July 1, 2009 and run until July 1, 2011. However, the report on these programs is currently due October 2010. The Department cannot adequately report on the two year impact of these programs on students' success because the program has only been in place for one year.
- b. In addition, due to the fact that CMT scores are not available until August, moving the due date month to December gives the Department time to conduct a more careful analysis of the students' accomplishments.

4. Fiscal Impact:

- a. None.

5. Draft Language:

Subsection (g) of section 10-16x of the general statutes is repealed and the following is substituted in lieu thereof (Effective upon passage):

(g) Not later than ~~[October 1, 2008]~~ December 1, 2011, and biennially thereafter, the Department of Education shall report, in accordance with the provisions of section 11-4a, to the joint standing committee of the General Assembly having cognizance of matters relating to education on performance outcomes of recipients of grants under this section. The report shall include, but not be limited to, measurements of the impact on student achievement, school attendance and the in-school behavior of student participants.

10. Proposals to Reduce SDE Reporting Requirements: Reduce Youth Service Bureau Reporting Requirement from an Annual Report to a Biennial Report

1. Current Law:

- a. Current law requires the Commissioner to report to the General Assembly on an annual basis the referral or diversion of children under the age of eighteen years from the juvenile justice system and the court system.

2. Summary of Proposal:

- a. This proposal seeks to reduce the Youth Service Bureau (YSB) reporting requirement from an annual report to a biennial report. The purpose of this change is to reduce the burden on the YSB's that have limited resources and to give the Department more time to collect better data about the impact of the YSB on the community and its youth and to conduct a higher quality analysis on that data.
- b. This proposal was approved by the Board in 2009.

3. Fiscal Impact:

- a. None.

4. Draft Language:

Subsection (c) of section 10-19m of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) The Commissioner of Education shall adopt regulations, in accordance with the provisions of chapter 54, establishing minimum standards for such youth service bureaus and the criteria for qualifying for state cost-sharing grants, including, but not limited to, allowable sources of funds covering the local share of the costs of operating such bureaus, acceptable in-kind contributions and application procedures. Said commissioner shall, on December 1, 1979, and [annually] biennially thereafter, report to the General Assembly on the referral or diversion of children under the age of eighteen years from the juvenile justice system and the court system. Such report shall include, but not be limited to, the number of times any child is so diverted, the number of children diverted, the type of service provided to any such child, by whom such child was diverted, the ages of the children diverted and such other information and statistics as the General Assembly may request from time to time. Any such report shall contain no identifying information about any particular child."

11. Proposals to Reduce SDE Reporting Requirements: *Reduce School Breakfast Program Reporting Requirement*

1. Current Law:

- a. Requires that each local and regional board of education participating in the school breakfast grant program submit a financial statement of expenditures to the department on or before September 1st of each fiscal year.

1. Summary of Proposal

- a. This proposal seeks to eliminate the requirement that participating districts submit financial statements by September 1 and instead provides that such submission be made at such time and in such manner as prescribed by the Commissioner of Education, and specify that if the commissioner finds that any school breakfast grant recipient has used grant dollars for purposes which are not in conformity with the purposes of this statute, the commissioner shall, rather than may, require repayment to the state.

- b. This proposal was approved by the Board in 2009.

2. Fiscal Impact:

- a. None.

3. Draft Language:

Subsection (d) of section 10-266w of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(d) Each local and regional board of education participating in the grant program shall prepare a financial statement of expenditures **[which] that** shall be submitted to the department **[on or before September first of the fiscal year immediately following each fiscal year in which the school district participates in the grant program] annually at such time and in such manner as the Commissioner of Education prescribes**. If the commissioner finds that any school breakfast grant recipient uses such grant for purposes which are not in conformity with the purposes of this section, the commissioner **[may] shall** require repayment of the grant to the state.

12. Proposals to Reduce SDE Reporting Requirements: *Reduce Charter School Reporting Requirement*

1. Current Law:

- a. The Department of Education is currently required to submit an annual report concerning the status of charter schools.

2. Summary of Proposal:

- a. This proposal seeks to make the Department of Education's annual report to the General Assembly concerning charter schools a biennial report, rather than an annual report, so that the information is provided concurrently with the preparation of the state biennial budget.
- b. The statute requires that this report address four issues: (1) an assessment of the adequacy of funding for charter schools; (2) adequacy and availability of suitable facilities; (3) statutory changes facilitating expansion of the number of charter schools; and (4) a compilation of school profiles.
- c. Items one through three may result in potential increases to the state appropriation. The legislature does not ordinarily address such funding issues during the second year of the biennium but is open to such adjustments prior to the start of the biennium. For this reason, a proposal is sought to submit the report every two years concurrent with the beginning of the state biennial budget cycle.
- d. This proposal was approved by the Board in 2009.

3. Fiscal Impact:

- a. None.

4. Draft Language:

Section 10-66gg of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Within available appropriations, the Commissioner of Education shall [annually] review and report, on a biennial basis, in accordance with the provisions of section 11-4a, on the operation of such charter schools as may be established pursuant to sections 10-66aa to 10-66ff, inclusive, to the joint standing committee of the General Assembly having cognizance of matters relating to education. Such report shall include: (1) Recommendations for any statutory changes that would facilitate expansion in the number of charter schools; (2) a compilation of school profiles pursuant to section 10-66cc; (3) an assessment of the adequacy of funding pursuant to section 10-66ee, and (4) the adequacy and availability of suitable facilities for such schools.

13. Proposals to Reduce SDE Reporting Requirements: *Reduce School Readiness Needs Reporting Requirement*

1. **Current Law:**
 - a. C.G.S. 10-4(d) requires SDE to submit annually to the General Assembly summaries of the reports required under 10-16r(b)(4), which must be submitted to SDE by the local school readiness councils twice a year.
2. **Summary of Proposal:**
 - a. This proposal makes the summary report that SDE is required to submit to the General Assembly a biennial report, rather than annual report.
 - b. This proposals also reduces the reporting requirements of the local school readiness councils so that such councils would only have to report on a biennial basis, versus a biannual basis, the need for school readiness programs and the number of children not being served by such a program.
3. **Reason for Proposal:**
 - a. These revisions will align SDE and the local school readiness councils reporting requirements with the 2-year grant cycle and reduce the burden of unnecessary reporting requirements by the local school readiness councils and SDE.
4. **Fiscal Impact:**
 - a. None.
5. **Draft Language:**

Subsection (d) of section 10-4 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(d) Not later than December 15, [2004] 2012 and [annually] biennially thereafter, within available appropriations, the board shall make reasonable efforts to ensure that summaries of reports required pursuant to [subdivision] subdivisions (4) and (5) of subsection (b) of section 10-16r are submitted. The board shall summarize the reports and submit such summaries, in accordance with section 11-4a, to the joint standing committee of the General Assembly having cognizance of matters relating to education.

Subsection (b) of section 10-16 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) The local school readiness council shall: (1) Make recommendations to the chief elected official and the superintendent of schools on issues relating to school readiness, including any applications for grants pursuant to sections 10-16p, 10-16u, 17b-749a and 17b-749c; (2) foster partnerships among providers of school readiness programs; (3) assist in the identification of (A) the need for school readiness programs and the number of children not being served by such a program, and (B) for priority school districts pursuant to section 10-266p, the number of children not being served by such a program and the estimated operating cost of providing universal school readiness to eligible children in such districts who are not being served; (4) submit biannual reports to the Department of Education on the number and location of school readiness spaces, estimates of future needs [and the]; (5) submit biennial reports on the factors identified pursuant to subdivision (3) of this subsection; [(5)] (6) cooperate with the department in any program evaluation and, on and after July 1, 2000, use measures developed pursuant to section

10-16s for purposes of evaluating the effectiveness of school readiness programs; [(6)] (7) identify existing and prospective resources and services available to children and families; [(7)] (8) facilitate the coordination of the delivery of services to children and families, including (A) referral procedures, and (B) before and after-school child care for children attending kindergarten programs; [(8)] (9) exchange information with other councils, the community and organizations serving the needs of children and families; [(9)] (10) make recommendations to school officials concerning transition from school readiness programs to kindergarten; and [(10)] (11) encourage public participation.

14. Proposals to Reduce SDE Reporting Requirements: *Adjust the timeline for the Department's Condition of School Facilities Survey from every two years to every three years.*

1. Current law:

- a. Requires the Department's Condition of School Facilities Survey report to be prepared every two years.

2. Summary of Proposal:

- a. Adjusts the timeline for the Department's Condition of School Facilities Survey from every two years to every three years.

3. Reason for Proposal:

- a. The Department has been preparing this report since the late 1990s. In our experience, there are not significant changes to the conditions of Connecticut's physical buildings over a two-year period.

4. Fiscal Impact:

- a. None.

5. Draft Language:

Subsection (a) of section 10-220 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Each local or regional board of education shall maintain good public elementary and secondary schools, implement the educational interests of the state as defined in section 10-4a and provide such other educational activities as in its judgment will best serve the interests of the school district; provided any board of education may secure such opportunities in another school district in accordance with provisions of the general statutes and shall give all the children of the school district as nearly equal advantages as may be practicable; shall provide an appropriate learning environment for its students which includes (1) adequate instructional books, supplies, materials, equipment, staffing, facilities and technology, (2) equitable allocation of resources among its schools, (3) proper maintenance of facilities, and (4) a safe school setting; shall have charge of the schools of its respective school district; shall make a continuing study of the need for school facilities and of a long-term school building program and from time to time make recommendations based on such study to the town; shall adopt and implement an indoor air quality program that provides for ongoing maintenance and facility reviews necessary for the maintenance and improvement of the indoor air quality of its facilities; shall report **[biennially]** triennially to the Commissioner of Education on the condition of its facilities and the action taken to implement its long-term school building program and indoor air quality program, which report the Commissioner of Education shall use to prepare a **[biennial]** triennial report that said commissioner shall submit in accordance with section 11-4a to the joint standing committee of the General Assembly having cognizance of matters relating to education; shall advise the Commissioner of Education of the relationship between any individual school building project pursuant to chapter 173 and such long-term school building program; shall have the care,

maintenance and operation of buildings, lands, apparatus and other property used for school purposes and at all times shall insure all such buildings and all capital equipment contained therein against loss in an amount not less than eighty per cent of replacement cost; shall determine the number, age and qualifications of the pupils to be admitted into each school; shall develop and implement a written plan for minority staff recruitment for purposes of subdivision (3) of section 10-4a; shall employ and dismiss the teachers of the schools of such district subject to the provisions of sections 10-151 and 10-158a; shall designate the schools which shall be attended by the various children within the school district; shall make such provisions as will enable each child of school age, residing in the district to attend some public day school for the period required by law and provide for the transportation of children wherever transportation is reasonable and desirable, and for such purpose may make contracts covering periods of not more than five years; may place in an alternative school program or other suitable educational program a pupil enrolling in school who is nineteen years of age or older and cannot acquire a sufficient number of credits for graduation by age twenty-one; may arrange with the board of education of an adjacent town for the instruction therein of such children as can attend school in such adjacent town more conveniently; shall cause each child five years of age and over and under eighteen years of age who is not a high school graduate and is living in the school district to attend school in accordance with the provisions of section 10-184, and shall perform all acts required of it by the town or necessary to carry into effect the powers and duties imposed by law.

15. Proposals to Reduce SDE Reporting Requirements: *Reduce Paraprofessional Reporting Requirement from Quarterly to Annually*

1. **Current Law:**
 - a. Current law requires the Department to report quarterly on the training necessities for paraprofessionals.
2. **Summary of Proposal:**
 - a. This proposal seeks to reduce that reporting requirement from quarterly to annually due to the fact that the funding associated with this requirement has been eliminated.
3. **Fiscal Impact:**
 - a. None.
4. **Draft Language:**

Section 10-155k of the general statutes is repealed and the following is substituted in lieu thereof (Effective on passage):

The Commissioner of Education shall establish a School Paraprofessional Advisory Council consisting of one representative from each state-wide bargaining representative organization that represents school paraprofessionals with instructional responsibilities. The council shall meet quarterly and annually advise [, at least quarterly,] the Commissioner of Education, or the commissioner's designee, of the needs for the training of such paraprofessionals and the effectiveness of the content and the delivery of existing training for such paraprofessionals. The council shall report [, at least quarterly] annually, in accordance with the provisions of section 11-4a, on the recommendations given to the commissioner, or the commissioner's designee, pursuant to the provisions of this section, to the joint standing committee of the General Assembly having cognizance of matters relating to education.

16. Division of Family & Support Services: *Clarify the Legal Status and the Relationship of the State Education Resource Center (SERC) to SDE*

1. **Current Law:**
 - a. Current law is not clear as to SERC's legal relationship to SDE.
2. **Summary of Proposal:**
 - a. The legal status of SERC and its relationship to SDE is unclear under current statute.
 - b. SERC supports this change.
3. **Fiscal Impact:**
 - a. None
4. **Draft Language:**

Subsection (a) of section 10-14q of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The State Board of Education shall establish a State Education Resource Center to assist the board in the provision of programs and activities that will promote educational equity and excellence. The Center shall be organized as a non-profit entity under the guidance of its Board of Directors and the Commissioner of Education. Such activities, to be provided by the State Education Resource Center or a regional educational service center, may include training and continuing education seminars, publication of technical materials, research and evaluation, and other related activities. The center may support programs and activities concerning early childhood education, the federal No Child Left Behind Act, P.L. 107-110, and closing the academic achievement gap between socio-economic subgroups, and other related programs.

17. Division of Family & Support Services: *Provide Clarification as to Eligible Providers of Behavior Analysis Services*

1. **Current Law:**

- a. Starting July 1, 2012, statute requires school districts to use only behavior analysts licensed or certified in the appropriate field by the state or certified by the Behavior Analyst Certification Board.

2. **Summary of Proposal:**

- a. This proposal for a technical amendment to P.A. 10-175, Sec. 2, provides clarifying language related to eligible providers of ABA and the supervision of providers of behavior analysis services.
- b. In addition, it is further clarified in subsection (c) that it is the purview of the planning and placement team to determine the appropriate licensed or certified person to provide such services.

3. **Fiscal Impact:**

- a. None

4. **Draft Language:**

Public Act No. 10-175 is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) On and after July 1, 2012, a local or regional board of education that is responsible for providing special education and related services to a child, pursuant to section 10-76a of the general statutes, shall provide applied behavior analysis services to any such child with autism spectrum disorder if the individualized education plan or plan pursuant to Section 504 of the Rehabilitation Act of 1973 requires such services. (1) Such services shall be provided by a person who is, subject to the provisions of subsection (b) of this section, (A) licensed by the Department of Public Health or certified by the Department of Education and such services are within the scope of practice of such license or certificate including but not limited to licensed or certified psychologists, certified special educators, or licensed or certified speech pathologists, or (B) certified by the Behavior Analyst Certification Board as a behavior analyst or assistant behavior analyst provided such assistant behavior analyst is working under the supervision of a certified behavior analyst and subject to supervision by the designated administrator employed by a board of education. (2) A teacher or paraprofessional may implement the individualized education plan or plan pursuant to Section 504 of the Rehabilitation Act of 1973 providing for such applied behavior analysis services, provided such teacher or paraprofessional is under the [supervision] direction of a person described in subdivision (1) of this subsection and subject to supervision by the designated administrator employed by a board of education. For purposes of this section, "applied behavior analysis" means the design, implementation and evaluation of environmental modifications, using behavioral stimuli and consequences, including the use of direct observation, measurement and functional analysis of the relationship between the environment and behavior, to produce socially significant improvement in human behavior.

(b) if the Commissioner of Education determines that there are insufficient certified or licensed personnel available to provide applied behavior analysis services in accordance with the

provisions of subsection (a) of this section, the commissioner may authorize the provision of such services by persons who: (1) Hold a bachelor's degree in a related field; (2) have completed (A) a minimum of nine credit hours of coursework from a course sequence approved by the Behavior Analyst Certification Board, or (B) coursework that meets the eligibility requirement to sit for the board certified behavior analyst examination; and (3) are supervised by a board certified behavior analyst [and the designated administrator employed by a board of education](#).

(c) Nothing in this section shall be construed to require the inclusion of applied behavior analysis services in an individualized education plan or plan pursuant to Section 504 of the Rehabilitation Act of 1973. [If applied behavior analysis services are recommended by the planning and placement team, appropriate staff shall be determined based on the conditions described in subsection \(a\) of this section.](#)

18. Division of Family & Support Services: *Establish Committee to Research the Efficacy of Postural Screenings*

1. Current Law:

- a. Requires annual screenings for each pupil in grades five to nine inclusive.

2. Summary of Proposal:

- a. The purpose of this proposal is to establish a committee to conduct investigational research as to the efficacy of mandatory annual screenings for each pupil in grades five to nine inclusive, as mandated in subsection (c) of section 10-214 of the General Statutes.
- b. This proposal was approved by the Board in 2009.

3. Reason for Proposal:

- a. Lack of evidence of the effectiveness of scoliosis screenings (postural screenings). The U.S. Preventive Services Task Force (USPSTF) recommends against the routine screening of asymptomatic adolescents for idiopathic scoliosis. The USPSTF did not find good evidence that screening asymptomatic adolescents detects idiopathic scoliosis at an earlier stage than detection without screening. The accuracy of the most common screening test (the forward bending test with or without a scoliometer) in identifying adolescents with idiopathic scoliosis is variable, and there is evidence of poor follow up of adolescents with idiopathic scoliosis who are identified in community screening programs such as school programs. The USPSTF found fair evidence that treatment of idiopathic scoliosis during adolescence leads to health benefits (decreased pain and disability) in only a small proportion of people. Most cases detected through screening will not progress to a clinically significant form of scoliosis. Scoliosis needing aggressive treatment, such as surgery, is likely to be detected without screening. The USPSTF found fair evidence that treatment of adolescents with idiopathic scoliosis detected through screening leads to moderate harms, including unnecessary brace wear and unnecessary referral for specialty care. As a result, the USPSTF concluded that the harms of screening adolescents for idiopathic scoliosis exceed the potential benefits.

4. Fiscal Impact:

- a. None.

5. Draft Language:

(a) There is established a task force to conduct an investigational study of the efficacy of postural screenings for each pupil in grades five to nine, inclusive, pursuant to subsection (c) of section 10-214 of the general statutes. The task force shall consider whether legislative changes to section 10-214 of the general statutes are necessary and whether to eliminate the requirement that such postural screenings be conducted on an annual basis

(b) The administrative staff of the joint standing committee of the General Assembly having cognizance of matters relating to education shall serve as administrative staff of the task force.

(c) Not later than January 1, 2011, the task force shall submit a report on its findings and recommendations to the joint standing committees of the General Assembly having cognizance of matters relating to education and public health, in accordance with the provisions of section 11-4a of the general statutes. The task force shall terminate on the date that it submits such report or January 1, 2011, whichever is later.

19. Division of Family & Support Services: *Raise the Age for Child to Withdraw from School and become Eligible for Adult Education to be Consistent with New Drop-Out Provision (effective July 1, 2011).*

1. Current Law:

- a. Effective July 1, 2011, pursuant to section 10-184 of the general statutes, only those students seventeen and older will be allowed to withdraw from school with parental consent. Currently, students sixteen or seventeen years old may withdraw from school.

2. Summary of Proposal:

- a. Other sections in the statute must be amended so as to be consistent with the changes made to section 10-184 of the general statutes in 2009.

3. Fiscal Impact:

- a. **Local:** There may be a potential fiscal impact at the local level due to the fact that sixteen year old students will no longer be eligible to enroll in adult education.

4. Draft Language:

Subsection (a) of section 10-5 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

(a) The Commissioner of Education shall, in accordance with this section, issue a state high school diploma to any person (1) who successfully completes an examination approved by the commissioner or (2) who (A) is [sixteen or] seventeen years of age and has been officially withdrawn from school in accordance with the provisions of section 10-184 or is eighteen years of age or older, and (B) presents to the commissioner evidence demonstrating educational qualifications which the commissioner deems equivalent to those required for graduation from a public high school. Application for such a diploma shall be made in the manner and form prescribed by the commissioner provided at the time of application to take the examination described in subdivision (1) of this subsection the applicant is seventeen years of age or older, has been officially withdrawn from school, in accordance with section 10-184, for at least six months and has been advised, in such manner as may be prescribed by the commissioner, of the other options for high school completion and other available educational programs. For good cause shown, the commissioner may allow a person who is sixteen years of age to apply to take the examination, provided the commissioner may not issue a state high school diploma to such person until the person has attained seventeen years of age.

Subsection (1) of section 10-67 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

(1) "Adult" means any person [sixteen] seventeen years of age or over who is not enrolled in a public elementary or secondary school program or a student enrolled in school who was assigned to an adult class pursuant to subsection (d) of section 10-233d or section 10-73d;

Subsections (d) and (e) of section 10-233d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

(d) Notwithstanding the provisions of subsection (a) of section 10-220, local and regional boards of education shall only be required to offer an alternative educational opportunity in accordance with this section. Any pupil under [sixteen] seventeen years of age who is expelled shall be offered an alternative educational opportunity during the period of expulsion, provided any parent or guardian of such pupil who does not choose to have his or her child enrolled in an alternative program shall not be subject to the provisions of section 10-184. Any pupil expelled for the first time who is between the ages of [sixteen] seventeen and eighteen and who wishes to continue his or her education shall be offered an alternative educational opportunity if he or she complies with conditions established by his or her local or regional board of education. Such alternative may include, but shall not be limited to, the placement of a pupil who is at least [sixteen] seventeen years of age in an adult education program pursuant to section 10-69. A local or regional board of education shall count the expulsion of a pupil when he was under [sixteen] seventeen years of age for purposes of determining whether an alternative educational opportunity is required for such pupil when he is between the ages of [sixteen] seventeen and eighteen. A local or regional board of education may offer an alternative educational opportunity to a pupil for whom such alternative educational opportunity is not required pursuant to this section.

(e) Notwithstanding the provisions of subsection (d) of this section concerning the provision of an alternative educational opportunity for pupils between the ages of [sixteen] seventeen and eighteen, local and regional boards of education shall not be required to offer such alternative to any pupil between the ages of [sixteen] seventeen and eighteen who is expelled because of conduct which endangers persons if it is determined at the expulsion hearing that the conduct for which the pupil is expelled involved (1) possession of a firearm, as defined in 18 USC 921, as amended from time to time, or deadly weapon, dangerous instrument or martial arts weapon, as defined in section 53a-3, on school property or at a school-sponsored activity, or (2) offering for sale or distribution on school property or at a school-sponsored activity a controlled substance, as defined in subdivision (9) of section 21a-240, whose manufacture, distribution, sale, prescription, dispensing, transporting or possessing with the intent to sell or dispense, offering, or administration is subject to criminal penalties under sections 21a-277 and 21a-278. If a pupil is expelled pursuant to this section for possession of a firearm or deadly weapon the board of education shall report the violation to the local police department or in the case of a student enrolled in a regional vocational-technical school to the state police. If a pupil is expelled pursuant to this section for the sale or distribution of such a controlled substance, the board of

education shall refer the pupil to an appropriate state or local agency for rehabilitation, intervention or job training, or any combination thereof, and inform the agency of its action. Whenever a local or regional board of education notifies a pupil between the ages of ~~sixteen~~ [seventeen](#) and eighteen or the parents or guardian of such pupil that an expulsion hearing will be held, the notification shall include a statement that the board of education is not required to offer an alternative educational opportunity to any pupil who is found to have engaged in the conduct described in this subsection.

20. Division of Family & Support Services: Amend Definition of Legal Practitioners of Medicine to Include Military Providers

1. Current Law:

- a. Current law requires the legally qualified practitioner of medicine who conducts a health assessment for children enrolled in public school must be licensed in Connecticut.

2. Reason for Proposal:

- a. Qualified practitioners of medicine, advanced practice registered nurses, or physician assistants stationed at military bases, domestic or overseas, may not have license to practice in the state of Connecticut, thereby precluding health assessments conducted by such military personnel for students enrolling in Connecticut public schools.

3. Fiscal Impact:

- a. None.

4. Draft Language:

Subsection (a) of section 10-206 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Each local or regional board of education shall require each pupil enrolled in the public schools to have health assessments pursuant to the provisions of this section. Such assessments shall be conducted by a legally qualified practitioner of medicine, an advanced practice registered nurse or registered nurse, licensed pursuant to chapter 378, a physician assistant, licensed pursuant to chapter 370, or by the school medical advisor, or by legally qualified practitioners of medicine, an advanced practice registered nurse, or a physician assistant from any military base, domestic or overseas, to ascertain whether such pupil is suffering from any physical disability tending to prevent such pupil from receiving the full benefit of school work and to ascertain whether such school work should be modified in order to prevent injury to the pupil or to secure for the pupil a suitable program of education. No health assessment shall be made of any child enrolled in the public schools unless such examination is made in the presence of the parent or guardian or in the presence of another school employee. The parent or guardian of such child shall receive prior written notice and shall have a reasonable opportunity to be present at such assessment or to provide for such assessment himself or herself. A local or regional board of education may deny continued attendance in public school to any child who fails to obtain the health assessments required under this section.

21. Division of Family & Support Services: Amend Family Resource Center Program statute to Allow for SDE Administrative Set-aside

1. Current Law:

- a. There is currently there is no administrative set aside for the Department for the administration of this program.

2. Reason for Proposal:

- a. The Family Resource Center program has become increasingly more expensive to deliver effective administrative oversight. Currently, grant activities exists at 62 program sites throughout 42 communities in Connecticut with no state level funding to support program management. Program management responsibilities include, but are not limited to;
 - i. Development, implementation and monitoring of fiscal compliance of grant funds,
 - ii. Conducting on-site monitoring visits and program performance reviews at each of the FRC schools,
 - iii. Acting as liaison between the FRCs, school districts and State Department of Education,
 - iv. Identifying, collecting, analyzing and reporting data as required to assess program performance, and
 - v. Providing professional development and technical assistance activities.
- b. Additionally, C.G.S. section 10-4o (c) requires the Department of Education, within available appropriations, to provide a longitudinal study of FRCs every three years.
- c. The allowance of a two percent administrative “set-aside” would provide a minimal level of fiscal authority to the Department of Education to effectively provide ongoing and sustainable administrative program management as well as meeting the statutory requirements in program evaluation. This would include the ongoing development and maintenance of program performance indicators that are aligned with results based accountability outcomes and results driven standards for assessment.

3. Fiscal Impact:

- a. **State:** None.
- b. **Local:** The amount of money going to eligible grantees would be proportionately reduced to cover the set-aside.

4. Draft Language:

Section 10-4o of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The Department of Education, in conjunction with the Department of Social Services, shall coordinate a family resource center program to provide comprehensive child care services,

remedial educational and literacy services, families-in-training programs and supportive services to parents who are recipients of temporary family assistance and other parents in need of such services. The family resource centers shall be located in or associated with public schools, and any family resource center established on or after July 1, 2000, shall be located in a public elementary school unless the Commissioner of Education waives such requirement. The commissioner shall determine the manner in which the grant recipients of such program, such as municipalities, boards of education and child care providers shall be selected. The family resource center shall provide: (1) Quality full-day child care and school readiness programs for children age three and older who are not enrolled in school and child care for children enrolled in school up to the age of twelve for before and after regular school hours and on a full-day basis during school holidays and school vacation, in compliance with all state statutes and regulations governing child day care and, in the case of the school readiness programs, in compliance with the standards set for such programs pursuant to section 10-16p; (2) support services to parents of newborn infants to ascertain their needs and provide them with referrals to other services and organizations and, if necessary, education in parenting skills; (3) support and educational services to parents whose children are participants of the child care services of the program and who are interested in obtaining a high school diploma or its equivalent. Parents and their preschool age children may attend classes in parenting and child learning skills together so as to promote the mutual pursuit of education and enhance parent-child interaction; (4) training, technical assistance and other support by the staff of the center to family day care providers in the community and serve as an information and referral system for other child care needs in the community or coordinate with such systems as may already exist in the community; (5) a families-in-training program to provide, within available appropriations, community support services to expectant parents and parents of children under the age of three. Such services shall include, but not be limited to, providing information and advice to parents on their children's language, cognitive, social and motor development, visiting a participant's home on a regular basis, organizing group meetings at the center for neighborhood parents of young children and providing a reference center for parents who need special assistance or services. The program shall provide for the recruitment of parents to participate in such program; and (6) a sliding scale of payment, as developed in consultation with the Department of Social Services, for child care services at the center. The center shall also provide a teen pregnancy prevention program for adolescents emphasizing responsible decision-making and communication skills.

(b) The Department of Education, in consultation with representatives from family resource centers, within available appropriations, shall develop guidelines for family resource center programs. The guidelines shall include standards for program quality and design and identify short and long-term outcomes for families participating in such programs. The Department of Education, within available appropriations, shall provide a copy of such guidelines to each family resource center. Each family resource center shall use the guidelines to develop a program improvement plan for the next twelve-month period and shall submit the plan to the department.

The plan shall include goals to be used for measuring such improvement. The department shall use the plan to monitor the progress of the center. Family resource centers in existence on July 1, 1997, shall be given a preference for grants for school readiness awarded by the Department of Education or the Department of Social Services and for financing pursuant to sections 10a-194c, 17b-749g and 17b-749h.

(c) The Department of Education, within available appropriations, shall provide for a longitudinal study of family resource centers every three years.

(d) The Commissioner of Education may provide grants to municipalities, boards of education and child care providers to carry out the purposes of subsection (a) of this section. Each family resource center shall have a program administrator who has at least two years of experience in child care, public administration or early childhood education and a master's degree in child development, early childhood education or a related field.

(e) The Commissioner of Education may accept and receive on behalf of the department or any family resource center, subject to section 4b-22, any bequest, devise or grant made to the department or any family resource center for the purpose of establishing a new family resource center or expanding an existing center, and may hold and use such property for the purpose specified in such bequest, devise or gift.

(f) The Department of Education may retain up to two percent of the amount appropriated for purposes of this section for state-wide technical assistance, program monitoring and evaluation and administration.

22. Division of Family and Student Support Services: *Eliminate Requirement for RESCs to Conduct Data Collection Activities and Redirect Set-aside for Minority Teacher Recruitment*

1. Current Law:

- a. Currently, 10-66k provides a grant to the RESCs for the collection and analysis of data on the reduction of racial, ethnic and economic isolation, required under 10-266h.

2. Summary of Proposal:

- a. This proposal seeks to eliminate the requirement that superintendents submit data to the RESCs for the purposes of the ED539 data collection. Instead, the superintendents will submit the data directly to SDE.
- b. It also seeks to redirect the grant to the RESCs that is provided in statute to collect and analyze this data towards RESC activities that support minority teacher recruitment.

3. Reason for Proposal:

- a. The grant has been reduced from \$108,125 in 2008-09 to \$66,964 in 2010-11 and cannot support all current statutorily mandated activities in a meaningful and effective manner. Collecting and analyzing the ED 539 data is done by CSDE. The RESCs are no longer needed to act as a conduit for this collection.
- b. In eliminating this provision of the grant, the money that would be dedicated for data collections can be used for Minority Teacher Recruitment.

4. Fiscal Impact:

- a. None

5. Draft Language:

Section 10-66j of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The State Board of Education shall encourage the formation of a state-wide system of regional educational service centers and shall adopt regulations with respect to standards for review and approval of regional education service centers in accordance with sections 10-66a and 10-66h.

(b) Each regional educational service center shall receive an annual grant equal to the sum of the following:

(1) An amount equal to fifty per cent of the total amount appropriated for purposes of this section divided by six;

(2) An amount equal to twenty-five per cent of such appropriation multiplied by the ratio of the number of its member boards of education to the total number of member boards of education state-wide; and

(3) An amount equal to twenty-five per cent of such appropriation multiplied by the ratio of the sum of state aid pursuant to section 10-262h for all of its member boards of education to the total amount of state aid pursuant to section 10-262h state-wide.

~~[(c) Each regional educational service center shall annually expend at least six and one-quarter per cent of the amount received pursuant to this section to assist local and regional boards of education implementing the educational goals and objectives specifically identified by the State Board of Education.]~~

~~[(d) (c) Within the available appropriation, no regional educational service center shall receive less aid pursuant to subsection (b) of this section than it received for the fiscal year ending June 30, 1999. Amounts determined for regional educational service centers pursuant to subsection (b) of this section in excess of the amounts received for the fiscal year ending June 30, 1999, shall be reduced proportionately to implement such provision if necessary.~~

~~[(e) (d) Each regional educational service center shall support regional efforts to recruit and retain minority educators [and to support the collection and analysis of data on school district efforts to reduce racial, ethnic and economic isolation].~~

~~[(f) (e) Notwithstanding the provisions of this section, for the fiscal years ending June 30, 2004, to June 30, 2011, inclusive, the amount of grants payable to regional educational service centers shall be reduced proportionately if the total of such grants in such year exceeds the amount appropriated for such grants for such year.~~

Section 10-226h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) A local or regional board of education for purposes of subdivision (3) of section 10-4a, may offer such programs or use such methods as: (1) Interdistrict magnet school programs; (2) charter schools; (3) interdistrict after-school, Saturday and summer programs and sister-school projects; (4) intradistrict and interdistrict public school choice programs; (5) interdistrict school building projects; (6) interdistrict program collaboratives for students and staff; (7) distance learning through the use of technology; and (8) any other experience that increases awareness of the diversity of individuals and cultures.

(b) Each local and regional board of education shall report by ~~[July 1, 2000]~~ October 1, 2011, and biennially thereafter, to the ~~[regional educational service center for its area]~~ Commissioner of Education on the programs and activities undertaken in its school district to reduce racial, ethnic and economic isolation, including (1) information on the number and duration of such programs and activities and the number of students and staff involved, and (2) evidence of the

progress over time in the reduction of racial, ethnic and economic isolation.

~~[(c) Each regional educational service center shall report by October 1, 2000, and biennially thereafter, to the Commissioner of Education on the programs and activities undertaken in its region to reduce racial, ethnic and economic isolation.]~~

~~[(d)]~~ (c) The Commissioner of Education shall report, by January 1, 1999, and biennially thereafter, in accordance with section 10-4a, to the Governor and the General Assembly on activities and programs designed to reduce racial, ethnic and economic isolation. The report shall include statistics on any growth in such programs or expansion of such activities over time, an analysis of the success of such programs and activities in reducing racial, ethnic and economic isolation, a recommendation for any statutory changes that would assist in the expansion of such programs and activities and the sufficiency of the annual grant pursuant to subsection (e) of section 10-266aa and whether additional financial incentives would improve the program established pursuant to section 10-266aa.

23. Division of Family & Support Services: *Enable a PPT to recommend private school placement for a child eligible for special education without parental consent and clarify provision of special education services to children enrolled in private schools or being homeschooled.*

1. Current Law:

- a. Current law requires that school districts file for due process if the parent refuses to give consent for a private school placement for a child eligible for special education.

2. Summary of Proposal:

- a. This proposal eliminates the requirement that parental consent be secured when the PPT recommends a private school placement for a child eligible for special education in an effort to align the statutes with the proposed revisions to the state special education regulations. Parents retain the right to challenge the placement offered by the PPT by filing for due process. This proposal aligns the state requirements with IDEA which only requires consent for initial evaluation, reevaluation and initial receipt of special education services.
- b. The proposal also clarifies the provision of special education services to children enrolled in private schools or being homeschooled, to be consistent with IDEA. Provision of services to children placed in nonpublic schools by their parents is required under the IDEA within certain parameters, however, if a parent refuses services, IDEA does not allow a school district to take action against the parent to have the services provided. Under section 10-184a, the state does not consider children home educated to be entitled to public school services of any type.

3. Fiscal Impact:

- a. None.

4. Draft Language:

Section 1. Subsection (a) of section 10-76h of the general statutes is repealed and the following is substituted in lieu thereof:

(a)(1) A parent or guardian of a child requiring special education and related services pursuant to sections 10-76a to 10-76g, inclusive, a pupil if such pupil is an emancipated minor or eighteen years of age or older requiring such services, a surrogate parent appointed pursuant to section 10-94g, or the Commissioner of Children and Families, or a designee of said commissioner, on behalf of any such child in the custody of said commissioner, may request a hearing of the local or regional board of education or the unified school district responsible for providing such services whenever such board or district proposes or refuses to initiate or change the identification, evaluation or educational placement of or the provision of a free appropriate public education to such child or pupil. Such request shall be made by sending a written request to such board or district with a copy to the Department of Education.

(2) The local or regional board of education or the unified school district responsible for providing special education and related services for a child or pupil requiring such services under sections 10-76a to 10-76g, inclusive, may request, upon written notice to the parent or guardian of such child, the pupil if such pupil is an emancipated minor or is eighteen years of age or older, the surrogate parent appointed pursuant to section 10-94g, or the Commissioner of Children and Families, or a designee of said commissioner, on behalf of any such child or pupil in the custody of said commissioner, a hearing concerning the decision of the planning and placement team established pursuant to section 10-76d, whenever such board or district proposes or refuses to initiate or change the identification, evaluation or educational placement of or the provision of a free appropriate public education placement to such child or pupil, including, but not limited to, refusal of the parent or guardian, pupil if such pupil is an emancipated minor or is eighteen years of age or older or the surrogate parent appointed pursuant to section 10-94g, to give consent for initial evaluation or reevaluation or the withdrawal of such consent. The local or regional board of education or unified school district shall provide a copy of the request to the Department of Education. [In the event a planning and placement team proposes private placement for a child or pupil who requires or may require special education and related services and the parent, guardian, pupil if such pupil is an emancipated minor or is eighteen years of age or older or surrogate parent appointed pursuant to section 10-94g withholds or revokes consent for such placement, the local or regional board of education shall request a hearing in accordance with this section and may request mediation pursuant to subsection (f) of this section, provided such action may be taken only in the event such parent, guardian, pupil or surrogate parent has consented to the initial receipt of special education and related services and subsequent to the initial placement of the child, the local or regional board of education seeks a private placement.] For purposes of this section, a "local or regional board of education or unified school district" includes any public agency which is responsible for the provision of special education and related services to children requiring special education and related services.

(3) The request for a hearing shall contain a statement of the specific issues in dispute.

(4) A party shall have two years to request a hearing from the time the board of education proposed or refused to initiate or change the identification, evaluation or educational placement or the provision of a free appropriate public education placement to such child or pupil provided, if the parent, guardian, pupil or surrogate parent is not given notice of the procedural safeguards, in accordance with regulations adopted by the State Board of Education, including notice of the limitations contained in this section, such two-year limitation shall be calculated from the time notice of the safeguards is properly given.

Sec. 2. Subdivision (3) of subsection (d) of section 10-76h is repealed and the following is substituted in lieu thereof:

(d) (1) The hearing officer or board shall have the authority (A) to confirm, modify, or reject the identification, evaluation or educational placement of or the provision of a free appropriate public education to the child or pupil, (B) to determine the appropriateness of an educational placement where the parent or guardian of a child requiring special education or the pupil if such pupil is an emancipated minor or eighteen years of age or older, has placed the child or pupil in a program other than that prescribed by the planning and placement team, or (C) to prescribe alternate special educational programs for the child or pupil. If the parent or guardian of such a child who previously received special education and related services from the district enrolls the child, or the pupil who previously received special education and related services from the district enrolls in a private elementary or secondary school without the consent of or referral by the district, a hearing officer may, in accordance with the Individuals with Disabilities Education Act, 20 USC 1400 et seq., as amended from time to time, require the district to reimburse the parents or the pupil for the cost of that enrollment if the hearing officer finds that the district had not made a free appropriate public education available to the child or pupil in a timely manner prior to that enrollment. In the case where a parent or guardian, or pupil if such pupil is an emancipated minor or is eighteen years of age or older, or a surrogate parent appointed pursuant to section 10-94g, has refused consent for initial evaluation or reevaluation, the hearing officer or board may order an initial evaluation or reevaluation without the consent of such parent, guardian, pupil or surrogate parent except that if the parent, guardian, pupil or surrogate parent appeals such decision pursuant to subdivision (4) of this subsection, the child or pupil may not be evaluated or placed pending the disposition of the appeal. The hearing officer or board shall inform the parent or guardian, or the emancipated minor or pupil eighteen years of age or older, or the surrogate parent appointed pursuant to section 10-94g, or the Commissioner of Children and Families, as the case may be, and the board of education of the school district or the unified school district of the decision in writing and mail such decision not later than forty-five days after the commencement of the hearing pursuant to the Individuals with Disabilities Education Act, 20 USC 1400 et seq., as amended from time to time, except that a hearing officer or board may grant specific extensions of such forty-five-day period in order to comply with the provisions of subsection (b) of this section. The hearing officer may include in the decision a comment on the conduct of the proceedings. The findings of fact, conclusions of law and decision shall be written without personally identifiable information concerning such child or pupil, so that such decisions may be available for public inspections pursuant to sections 4-167 and 4-180a.

(2) If the local or regional board of education or the unified school district responsible for providing special education for such child or pupil requiring special education does not take action on the findings or prescription of the hearing officer or board within fifteen days after receipt thereof, the State Board of Education shall take appropriate action to enforce the findings or prescriptions of the hearing officer or board. Such action may include application to the Superior Court for injunctive relief to compel such local or regional board or school district to

implement the findings or prescription of the hearing officer or board without the necessity of establishing irreparable harm or inadequate remedy at law.

(3) If the hearing officer or board upholds the local or regional board of education or the unified school district responsible for providing special education and related services for such child or pupil who requires or may require special education on the issue of evaluation[,] or reevaluation [or placement in a private school or facility], such board or district may evaluate [or provide such services to] the child or pupil without the consent of the parent or guardian, pupil if such pupil is an emancipated minor or is eighteen years of age or older, or the surrogate parent appointed pursuant to section 10-94g, subject to an appeal pursuant to subdivision (4) of this subsection.

(4) Appeals from the decision of the hearing officer or board shall be taken in the manner set forth in section 4-183, except the court shall hear additional evidence at the request of a party. Notwithstanding the provisions of section 4-183, such appeal shall be taken to the judicial district wherein the child or pupil resides. In the event of an appeal, upon request and at the expense of the State Board of Education, said board shall supply a copy of the transcript of the formal sessions of the hearing officer or board to the parent or guardian or the emancipated minor or pupil eighteen years of age or older or surrogate parent or said commissioner and to the board of education of the school district or the unified school district.

Sec. 3. Section 10-184a of the general statutes is repealed and the following is substituted in lieu thereof:

Special education and related services for children enrolled by their parents in private schools shall be provided consistent with the requirements of the Individuals with Disabilities Education Act. Children being educated at home are not enrolled in a private school for purposes of the provision of special education and related services to private school children. [The provisions of sections 10-76a to 10-76h, inclusive, shall not be construed to require any local, regional or state board of education to provide special education programs or services for any child whose parent or guardian has chosen to educate such child in a home or private school in accordance with the provisions of section 10-184 and who refuses to consent to such programs or services.]

24. Division of Family & Support Services: *Amend 2010 Education Stability Act to clarify eligibility for the excess cost grant.*

1. Current Law:

- a. In 2010 the legislature passed P.A. 10-160 which created a presumption that it is in the best interest of a child placed in an out-of-home care under an emergency, temporary custody, or commitment order by DCF to continue to attend the school he or she attended before the placement and requires that DCF is responsible for the costs to transport the child from a placement to the school.

2. Summary of Proposal:

- a. Clarifies that programmatic and fiscal responsibility for children placed out of the home by DCF continues to follow the requirements of Section 10-76d(e)(2) and Section 10-253 concerning state agency placed children; and
- b. Clarifies the availability of the state agency placement grant for children placed in out of home care by DCF.

3. Reason for Proposal:

- a. The intent of the education stability bill, passed in the 2010 legislative session, was to change the school district where children placed out of the home had an entitlement to attend school from the town where they are residing as a result of the DCF placement to the school they are attending at the time DCF removes them from the home. All other responsibilities for children placed out by state agencies remain the same, meaning for children eligible for special education, the nexus town remains responsible programmatically and fiscally. This needs to be articulated in the statute.
- b. The current language does not distinguish between school of origin and nexus school district for purposes of the state agency placement grant. The intent of the original language was to restrict the state agency placement grant where the child remained in the school of origin which was also the nexus school district and, if the nexus district had already placed the child in a private program and the child remained there after the out of home placement by DCF. The current language would restrict the availability of the state agency placement grant where the nexus school district continues to pay tuition to another town or private school for a child's special education program.

4. Fiscal Impact:

- a. TBD

5. Draft Language

Section 1. Section 1 of public act 10-160 is repealed and the following is substituted in lieu thereof:

- (a) For purposes of this section:

(1) "Child" means (A) any school-aged child, (B) any child ages three to five, inclusive, who has been identified as eligible for special education pursuant to sections 10-76a to 10-76d, inclusive, of the general statutes or under the Individuals with Disabilities Education Act, 20 USC 1400 et seq. , as amended from time to time, or (C) any child twenty-seven months to five years of age, inclusive, who has been referred to a planning and placement team to determine eligibility for special education and related services pursuant to sections 10-76a to 10-76d, inclusive, of the general statutes or under said Individuals with Disabilities Education Act, who is placed in out-of-home care by the commissioner pursuant to an order of temporary custody or an order of commitment, in accordance with section 46b-129 of the general statutes.

(2) "School of origin" means the school that the child is attending at the time the department places the child in out-of-home care or the school the child is attending at the time of any change of out-of-home care, by the commissioner.

(3) "Receiving school" means the school that a child is attending following a school placement decision by the department in cases in which remaining in the school of origin is determined not to be in the child's best interests.

(4) "School placement decision" means a decision made by the department regarding the school in which the child will attend while the child is in out-of-home care and does not refer to the provision of a free, appropriate public education to children eligible for special education.

(5) "Department" means the Department of Children and Families.

(6) "Commissioner" means the Commissioner of Children and Families.

(7) "Nexus school district" means the local or regional board of education under whose jurisdiction the child would otherwise be attending school.

(b) (1) Whenever a child is placed in out-of-home care by the department pursuant to an emergency order under subsection (e) of section 17a-101g of the general statutes, or an order of temporary custody or an order of commitment under section 46b-129 of the general statutes, and at any subsequent change in out-of-home care, any such child may, if it is in the best interests of the child, as determined pursuant to subdivision (3) of this subsection, continue to attend his or her school of origin. Such child shall continue to be a resident of the school district in which such school is located during such attendance for purposes of chapters 168 to 170, inclusive, 172 and 173 of the general statutes. The board of education for the school of origin shall continue to provide free school privileges to the child. Education services shall be provided consistent with the provisions of subdivision (2) of subsection (e) of section 10-76d of the general statutes and section 10-253 of the general statutes. If the child continues to attend his or her school of origin following placement in out-of-home care by the department, the local or regional board of education of the school of origin shall not be eligible to receive an excess cost grant pursuant to subdivision (2) of subsection (e) of section 10-76d of the general statutes for the cost of such education, including, but not limited to, tuition and transportation costs provided, for the fiscal year commencing July 1, 2010 and each fiscal year thereafter, such grant shall be available to the nexus school district in those cases where the nexus school district must pay tuition to a local or

regional board of education for the child to attend the school of origin. If the nexus school district had placed the child in a private school or regional educational service center program prior to the child being removed from the home by the department and the child continues to attend such placement, the nexus school district or, if the nexus school district cannot be identified, the town where child resides, will be eligible to receive the excess cost grant provided under section 10-76g.

(2) Every decision by the department to place a child into out-of-home care under the provisions of subsection (e) of section 17a-101g and section 46b-129 of the general statutes, and any subsequent change in out-of-home care, shall take into account the appropriateness of the school setting and the proximity to the school of origin.

(3) (A) Whenever a child is placed in out-of-home care by the department pursuant to an emergency order under subsection (e) of section 17a-101g of the general statutes, or an order of temporary custody or an order of commitment under section 46b-129 of the general statutes, and at any subsequent change in out-of-home care, the department shall immediately determine whether it is in the best interests of the child to remain in the school of origin. There shall be a presumption that it is in the child's best interests to remain in the school of origin. The department shall provide written notice of its decision to the parties not later than three business days after the date on which the decision is made. Such notice shall identify the factors that form the basis of the department's decision. Any party may object to the department's decision not later than three business days after receipt of such notice. The child shall remain in the school of origin until the time for objection has passed and until any disagreement is resolved, except as provided in subparagraph (C) of this subdivision. The child shall be transported to the school of origin pursuant to subsection (c) of this section during any such disagreement except as provided in subparagraph (C) of this subdivision. Such disagreements shall be expeditiously resolved. The department shall bear the burden of proof that the school placement decision is in the child's best interests.

B) The school placement decision may be revisited at any time during the child's out-of-home care, if circumstances change, in order to ensure that the school placement decision remains in the best interests of the child. Notice of any subsequent decision to change the child's school placement decision shall be provided in accordance with subparagraph (A) of this subdivision. Any school placement decision made pursuant to this section may be challenged through the dispute resolution process for treatment plans. The child shall remain in the school of origin until any such disagreement is resolved, except as provided in subparagraph (C) of this subdivision and shall be provided with transportation in accordance with subsection (c) of this section.

(C) If at any time the department determines that continued placement in the school of origin will jeopardize the child's immediate physical safety, the department may immediately remove the child from the school and shall notify the child's attorney, parents, guardian ad litem and surrogate parent, if any, by phone or by facsimile on the same business day. Any party may object to the decision to change the child's school placement not later than three business days after receipt of such notice. If any party objects to the change in school placement, the department shall hold an administrative hearing not later than three business days after the objection.

(c) (1) If it is determined that it is in a child's best interests to remain in his or her school of origin, the department and the board of education for such school of origin shall collaborate on a transportation plan for such child from the town in which the child is placed to such school of origin. The department shall be responsible for any additional or extraordinary cost of such transportation beyond that to which the child would otherwise have access. The department shall maximize federal reimbursements under Title IV-E of the Social Security Act, as amended, for costs of transporting Title IV-E eligible children. The department and the board of education for the school of origin shall consider cost-effective, reliable and safe transportation options.

(2) If it is not in the best interests of the child to attend the school of origin, the department shall work with the board of education for such school of origin and the receiving school to ensure immediate and appropriate enrollment and attendance of the child in the receiving school in accordance with the provisions of section 10-253 of the general statutes and subsection (e) of section 10-76d of the general statutes. The educational records of the child shall be provided by the school of origin to the receiving school, in accordance with the federal Fostering Connections to Success and Increasing Adoptions Act of 2008, Public Law 110-351. Upon notification by the department of a decision to change a child's school placement and notwithstanding section 10-220h of the general statutes, the school of origin shall transmit to the receiving school, not later than one business day after receipt of such notification, all essential educational records for the child, including, but not limited to, the child's individualized education plan and behavioral intervention plan, if any, and all documents necessary for the receiving school to determine appropriate class placement and to provide educational services. The school of origin shall transfer nonessential records to the receiving school in accordance with section 10-220h of the general statutes.

25. Division of Family and Student Support Services: *Clarify that the town in which a state operated or community juvenile detention center is located is responsible for the provision of educational services to children in the detention center; that towns are eligible to receive state agency placement excess cost grants for the tuition charged for such services; to require the provision of educational services for children admitted to detention centers who have been suspended, expelled or have dropped out or otherwise withdrawn from school; and that credit earned by students towards high school graduation while at a detention center is to be accepted in transfer by the nexus district*

1. Current Law:

- a. Currently there is no state statute that specifically addresses the provision of educational services to students placed in detention centers.

2. Summary of Proposal:

NOTE: *This proposal should be viewed as a placeholder at this time as the details continue to be discussed with other executive agencies.*

- a. Specify educational responsibility for children who are detained in the state juvenile detention centers and community detention centers.
- b. Allow school districts that are responsible for the provision of educational services to be able to receive a state agency placement grant for the payment of tuition for these educational services.
- c. Requires public school districts to continue to assume responsibility for children in detention even if the child has been suspended, expelled or otherwise has left the school district and requires school districts to accept academic credits in transfer towards the completion of high school graduation requirements for work completed by the student while they are detained.
- d. Provide for modest state grant to support boards of education providing educational services.
- e. Reduces state agency placement excess cost grant to boards of education paying tuition to the board providing services.

3. Reason for Proposal:

- a. The achievement gap is particularly acute with respect to students who are engaged with the juvenile justice system. Students involved in the juvenile justice system are reported to have significantly lower achievement levels where compared to their counterparts in the public schools. The availability of quality educational services for students placed in a juvenile detention center or community detention center is inconsistent. There is no state statute which specifically addresses the provision of educational services to students placed in detention centers. The State Department of Education (SDE) has, over the years, attempted to address this situation by a series of letters and policy memos assigning educational responsibility to various local or regional boards of

education. The Judicial Department has objected to the creation of a unified school district within the Judicial Department to provide services for these students; similarly, the Departments of Correction (DOC) and Children and Family Services (DCF) have declined to include the detention population in their respective school districts. The lack of clarity has resulted in an unequal receipt of services by children who are already disadvantaged educationally.

4. Fiscal Impact:

a. YES- TBD.

5. Draft Language:

Subsection (a) of section 10-253 of the general statutes is repealed and the following is substituted in lieu thereof:

- (1) Children placed out by the Commissioner of Children and Families or by other agencies or persons, including offices of a government of a federally recognized Native American tribe, private child-caring or child-placing agencies licensed by the Department of Children and Families, and eligible residents of facilities operated by the Department of Mental Health and Addiction Services or by the Department of Public Health who are eighteen to twenty-one years of age, shall be entitled to all free school privileges of the school district where they then reside as a result of such placement, except as provided in subdivision (4) of subsection (e) of section 10-76d. Except as provided in subsection (d) of this section and subdivision (4) of subsection (e) of section 10-76d, payment for such education shall be made by the board of education of the school district under whose jurisdiction such child would otherwise be attending school where such a school district is identified.
- (2) The local or regional board of education of the school district in which a state-operated or community juvenile detention facility is located shall be responsible for the provision of general education and special education and related services, to eligible children or children who may be eligible for special education, to children detained in such a facility. The provision of general education and special education and related services shall be in accordance with all applicable state and federal laws concerning the provision of educational services. Such board may charge the local or regional board of education under whose jurisdiction the child would otherwise be attending school tuition for the provision of general education and special education and related services. Educational and financial responsibility for the provision of educational services to the child shall begin from the date of the child's placement in the facility and the receipt of educational services.
- (3) The local or regional board of education under whose jurisdiction the child would otherwise be attending school shall be responsible for the provision of educational services to the child placed in a state-operated or community juvenile detention facility notwithstanding the child's suspension from school pursuant to section 10-233c, expulsion from school pursuant to section 10-233d of the general statutes or if the child has withdrawn, dropped out or otherwise terminates enrollment from school, Upon notification from the detention center, the child shall be reenrolled in the local or regional board of education, if applicable, and provided with educational services.

- (4) Tuition charged may not exceed the prior year's average per pupil expenditure of the board of education providing such services. The local or regional board of education under whose jurisdiction the child would otherwise be attending school shall be financially responsible for the tuition charged by the local or regional board of education in which a state-operated or community juvenile detention facility is located and shall receive on a current basis from the State Board of Education, any costs in excess of such local or regional board of education's prior year's average per pupil costs minus the amount received by the board of education providing the services pursuant to this subsection. In the case where the local or regional board of education under whose jurisdiction the child would otherwise be attending school cannot be identified, the local or regional board of education in which the state-operated or community facility is located shall be responsible for provision of services and shall be eligible to receive on a current basis from the State Board of Education any costs in excess of such local or regional board of education's prior year's average per pupil costs.
- (5) The local or regional board of education under whose jurisdiction the child would otherwise be attending school, or, if no such board can be identified, the local or regional board of education where the facility is located, shall be notified in writing by the Judicial Department of the child's placement at a state-operated or community detention facility within two business days of the child's placement. The notification shall include the child's name, date of birth, parental address, placement information, special education status of the child and such other information as is necessary to provide educational services to the child.
- (6) Prior to the child's discharge from the detention facility, an assessment of the school work completed by the child shall be conducted by the local or regional board of education providing educational services to children in the detention center to determine as assignment of academic credit for the work completed. Credit assigned shall be the credit of the local or regional board of education providing the services. Credit assigned for work completed by the child shall be accepted in transfer by the local or regional board of education in which the child continues their education after their release from the detention center.
- (7) Within available appropriations, each local or regional board of education providing educational services to children detained in state operated or community juvenile detention facilities shall be eligible to receive for each student detained in such facilities who is not a resident of the local or regional board of education providing such services a grant in the amount of six thousand seven hundred thirty dollars for the fiscal year ending June 20, 2012 and each fiscal year thereafter. The per pupil grant for each child who is a resident of the town providing services at such facility shall be three thousand dollars for the fiscal year ending June 30, 2012 and each fiscal year thereafter.

26. Division of Teaching, Learning and Instructional Leadership: Amend Length of Visiting International Teacher Permit

1. Current Law:

- a. State statute currently mirrors federal statute that limits the length of the J-1 visa to three years.

2. Summary of Proposal:

- a. We have been informed that the U.S. State Department may increase the maximum length of a J-1 Visa to more than three years, but it is not certain at this time what the maximum length may be. Therefore, a technical amendment is requested that would provide flexible language regarding the total duration and number of extensions of the international teaching permit in alignment with and in anticipation of prospective changes in federal immigration laws of the U.S. State Department changes related to the length of the J-1 visa.

3. Fiscal Impact:

- a. None.

4. Draft Language

Subsection (a) of section 10-145k of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The State Board of Education shall, upon the request of a local or regional board of education, issue an international teacher permit in a subject shortage area pursuant to section 10-8b, provided the conditions for issuance of such permit pursuant to the provisions of subsections (b) and (c) of this section are met. Such permits shall be issued for one year and may be renewed for a period of up to one year, upon the request of the local or regional board of education, provided that **[the permit shall not be renewed more than twice in the two years subsequent to the initial issuance]** the permit holder still maintains a valid J-1 Visa issued by the United States Department of State.

27. Division of Teaching, Learning and Instructional Leadership: *Amend 10-265g to ensure that the Developmental Reading Assessment is given throughout the school year, in kindergarten, and other changes*

1. Current Law:

- a. Connecticut General Statute (C.G.S.) 10-265g contributes to the goal of ensuring that all students are healthy, safe and successful in school by age 9 and will have access to high quality literacy programs that support the students' reading achievement, skills and knowledge in order to enter Grade 4 reading at or above grade level.

2. Summary of Proposal:

- a. Ensures that the Developmental Reading Assessment– Second Edition (DRA2) is provided three times a year in priority school districts and that the screening is done at the end of kindergarten. Adding a beginning of the year assessment ties to Scientific Research-Based Interventions (SRBI) CT's Framework for Rti. In addition, assessing students in Grades 1 - 3 more frequently provides a connection between the theory of SRBI and the practical aspect of using assessment results (DRA2) to guide instruction and provides a method for identifying students "at-risk" earlier.
- b. Maintains the use of building based literacy teams to monitor student progress and initiate tiers of instruction as needed supports the use of multiple assessments to determine student educational and instructional needs
- c. Adds Language Assessment System (LAS) Links to the Individual Reading Plan which builds use of multiple assessments to determine student educational and instructional need.

3. Fiscal Impact:

- a. None.

4. Draft Language

Section 10-265g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Each local and regional board of education for a priority school district shall offer a summer reading program, as described in subsection (d) of section 10-265f, to children enrolled in kindergarten in the schools under its jurisdiction who are determined **[by their teachers to need additional reading and reading readiness instruction]** to be at risk based on measure established by the State Board of Education.

(b) For each school year commencing on or after **[July 1, 2006]** July 1, 2010, each local and regional board of education for a priority school district shall require the schools under its jurisdiction to **[evaluate]** assess the reading level of students enrolled in grades one to three, inclusive, in the, middle of the school year **[,]** and at the end of the school year. Students enrolled in kindergarten should be assessed in the end of the year. **[A student]** Students shall be determined to be substantially deficient in reading based on measures established by the State Board of Education. Each school shall provide **[a reading program]** explicit instruction for such

students that incorporates the competencies required for early reading success and effective reading instruction as delineated in section 10-221i. If a student is determined to be substantially deficient in reading based on a beginning, middle, [of the school year] or end of the [school year evaluation] year assessment, the school shall notify the parents or guardian of the student of such result and the school shall develop and implement [a personal] the state priority school district individual reading plan for such student.

(c) The [personal] individual reading plan shall include assessment results including the Language Assessment System (LAS) Links when appropriate and additional instruction, within available appropriations, such as tutoring, an after school, (school vacation), (or) weekend program or a summer reading program as described in subsection (d) of section 10-265f. [Personal] Individual reading plans pursuant to this section shall be (1) reviewed and revised as appropriate after each [evaluation] assessment or state-wide examination, as appropriate, (2) [discussed with] monitored and overseen by building level literacy teams including, but not limited to the classroom teacher, reading specialist, reading consultant, principal and the provider of the additional instruction, and (3) given to the parent or guardian of the student, in accordance with the provisions concerning notice to parents or legal guardians pursuant to section 10-15b, and include specific recommendations for reading strategies that the parent or guardian can use at home. For purposes of providing additional instruction, boards of education for priority school districts shall give preference first to elementary schools and then to middle schools, with the highest number of students who are substantially deficient in reading.

(d) [Promotion of] Educational and instructional decisions for students with [personal] individual reading plans from kindergarten, first, second or third grade shall be based on documented progress in achieving the goals of the [personal] individual reading plan or demonstrated reading proficiency. If a decision is made to promote a student who is substantially deficient in reading from first, second or third grade, the school principal shall provide written justification for such promotion to the superintendent of schools.

(e) [A personal] An individual reading plan that incorporates the competencies required for early reading success and [effective] explicit reading instruction as delineated in section 10-221i shall be maintained for a student who is substantially deficient in reading until the student achieves [a satisfactory] grade level proficiency, as determined by a reading evaluation pursuant to this subsection or a state-wide examination pursuant to section 10-14n.

(f) Subject to the provisions of this subsection and within available appropriations, each local and regional board of education for a priority school district shall require for the [2006-2007] 2011-2012 school year, and each school year thereafter, students in [grades one to three] kindergarten to Grade three, inclusive, who, based on an end-of-the-year [evaluation] assessment pursuant to subsection (b) of this section, are determined to be substantially deficient in reading,

to attend school the summer following such [\[evaluation\] assessment](#). The superintendent of schools may exempt an individual student from such requirement, upon the recommendation of the school principal, based on the student's progress with the student's [\[personal\] individual](#) reading plan. If a student does not receive such an exemption, has been offered the opportunity to attend a summer school program and fails to attend summer school, the local or regional board of education shall not promote the student to the next grade.

(g) The superintendent of schools shall report to the Commissioner of Education the information such superintendent receives pursuant to subsection (d) of this section regarding the number of students who are substantially deficient in reading and are promoted from [kindergarten](#), first, second or third grade to the next grade. The State Board of Education shall prepare and publish a report containing such information.

28. Division of Teaching, Learning and Instructional Leadership: *Provide Flexibility in statute to allow students to attend any Agricultural Science and Technology School in the state, based on the students desired program of study*

1. Current Law:

- a. Currently a student may only attend an agricultural science and technology school or schools designated by their Board of Education regardless of the program of study being offered. For example, a student that wants to study aquaculture, biotechnology, and/or equine science may not be able to if the Board designated schools do not offer these programs.

2. Summary of Proposal:

- a. This proposal adds language that would require local Boards of Education to allow students to attend agricultural science and technology programs based on the students desired program of study. The impact in policy would be that students and their parents are given the choice to select the most appropriate educational learning experience.

3. Fiscal Impact:

- a. **Local:** Potential impact to local school districts that are forced to pay tuition to send their students to more expensive programs and on the transportation as well if the schools are farther away.
- b. **State:** None

4. Draft:

Section 10-64 (d) of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(d) Except as otherwise provided in subsection (e) of this section, [Any] any local or regional board of education which does not furnish agricultural science and technology education approved by the State Board of Education shall designate a school or schools having such a course approved by the State Board of Education as the school which any person may attend who has completed an elementary school course through the eighth grade. The board of education shall pay the tuition and reasonable and necessary cost of transportation of any person under twenty-one years of age who is not a graduate of a high school or vocational school or an agricultural science and technology center and who attends the designated school, provided transportation services may be suspended in accordance with the provisions of section 10-233c of the 2008 supplement to the general statutes. Each such board's reimbursement percentage pursuant to section 10-266m for expenditures in excess of eight hundred dollars per pupil incurred in the fiscal year beginning July 1, 2004, and in each fiscal year thereafter, shall be increased by an additional twenty percentage points.

(e) If the designated agricultural science and technology school or schools do not offer a program of study that meets the desires and needs of any person who has completed an elementary school course through the eighth grade, the board of education shall pay the tuition and reasonable and necessary cost of transportation of any person under twenty-one year of age to attend a agricultural science and technology school that has the desired program, provided transportation services may be suspended in accordance with the provisions of section 10-233c.

29. Division of Finance and Internal Operations: *Revise the definitions of expenditures to reflect the fact that the Minimum Expenditure Requirement (MER) is no longer utilized.*

1. Current Law:

- a. Requires districts to report information on the expenditures for minor capital projects for the purpose of calculating the Minimum Expenditure Requirement (MER).

2. Summary of Proposal:

- a. This proposal makes minor changes to the definitions of net current expenditures, regular program expenditures, and current program expenditures.

3. Reason for Proposal:

- a. The MER is no longer in effect. Under the Minimum Budget Requirement (MBR), expenditures are no longer a part of the determination. Therefore, there is no longer a need for districts to report this information.

4. Fiscal Impact:

- a. None

5. Draft Language:

Subdivision 3 of subsection (a) of section 10-261 is repealed and the following is substituted in lieu thereof (Effective from passage):

(3) "Net current expenditures" means total current educational expenditures, less expenditures for (A) pupil transportation; (B) capital expenditures for land, buildings, equipment otherwise supported by a state grant pursuant to chapter 173 and debt service [, **provided that, with respect to debt service, commencing with the fiscal year ending June 30, 1987, the principal amount of any debt incurred to pay an expense otherwise includable in net current expenditures may be included as part of net current expenditures in annual installments in accordance with a schedule approved by the Department of Education based upon substantially equal principal payments over the life of the debt**]; (C) adult education; (D) health and welfare services for nonpublic school children; (E) all tuition received on account of nonresident pupils; (F) food services directly attributable to state and federal aid for child nutrition and to receipts derived from the operation of such services; and (G) student activities directly attributable to receipts derived from the operation of such services, except that the town of Woodstock may include as part of the current expenses of its public schools for each school year the amount expended for current expenses in that year by Woodstock Academy from income from its endowment funds upon receipt from said academy of a certified statement of such current expenses, and except that the town of Winchester may include as part of the current expenses of its public schools for each school year the amount expended for current expenses in that year by The Gilbert School from income from its endowment funds upon receipt from said school of a certified statement of such current expenses;

Subsection (20) of section 10-262f is repealed and the following is substituted in lieu thereof (Effective from passage):

(20) "Regular program expenditures" means (A) total current educational expenditures less (B) expenditures for (i) special education programs pursuant to subsection (h) of section 10-76f, (ii) pupil transportation eligible for reimbursement pursuant to section 10-266m, (iii) land and capital building expenditures, and equipment otherwise supported by a state grant pursuant to chapter 173, including debt service, [provided, with respect to debt service, the principal amount of any debt incurred to pay an expense otherwise includable in regular program expenditures may be included as part of regular program expenditures in annual installments in accordance with a schedule approved by the Department of Education based upon substantially equal principal payments over the life of the debt,] (iv) health services for nonpublic school children, (v) adult education, (C) expenditures directly attributable to (i) state grants received by or on behalf of school districts except grants for the categories of expenditures listed in subparagraphs (B)(i) to (B)(v), inclusive, of this subdivision and except grants received pursuant to section 10-262i and section 10-262c of the general statutes, revision of 1958, revised to January 1, 1987, and except grants received pursuant to chapter 173, (ii) federal grants received by or on behalf of school districts except for adult education and federal impact aid, and (iii) receipts from the operation of child nutrition services and student activities services, (D) expenditures of funds from private and other sources, and (E) tuition received on account of nonresident students. The town of Woodstock may include as part of the current expenses of its public schools for each school year the amount expended for current expenses in that year by Woodstock Academy from income from its endowment funds upon receipt from said academy of a certified statement of such current expenses. The town of Winchester may include as part of the current expenses of its public school for each school year the amount expended for current expenses in that year by the Gilbert School from income from its endowment funds upon receipt from said school of a certified statement of such current expenses.

Subsection (35) of section 10-262f is repealed and the following is substituted in lieu thereof (Effective from passage):

(35) "Current program expenditures" means (A) total current educational expenditures less (B) expenditures for (i) land and capital building expenditures, and equipment otherwise supported by a state grant pursuant to chapter 173, including debt service, [provided, with respect to debt service, the principal amount of any debt incurred to pay an expense otherwise includable in current program expenditures may be included as part of current program expenditures in annual installments in accordance with a schedule approved by the Department of Education based upon substantially equal principal payments over the life of the debt,] (ii) health services for nonpublic school children, and (iii) adult education, (C) expenditures directly attributable to (i) state grants received by or on behalf of school districts except grants for the categories of expenditures listed

in subparagraphs (B)(i) to (B)(iii), inclusive, of this subdivision and except grants received pursuant to section 10-262i and section 10-262c of the general statutes, revision of 1958, revised to January 1, 1987, and except grants received pursuant to chapter 173, (ii) federal grants received by or on behalf of school districts except for adult education and federal impact aid, and (iii) receipts from the operation of child nutrition services and student activities services, (D) expenditures of funds from private and other sources, and (E) tuition received on account of nonresident students. The town of Woodstock may include as part of the current expenses of its public schools for each school year the amount expended for current expenses in that year by Woodstock Academy from income from its endowment funds upon receipt from said academy of a certified statement of such current expenses. The town of Winchester may include as part of the current expenses of its public school for each school year the amount expended for current expenses in that year by the Gilbert School from income from its endowment funds upon receipt from said school of a certified statement of such current expenses.

30. Division of Finance and Operation: *Amend language for magnet school operating grants to allow for prior year adjustments (PYAs) and recovery of funds when overpayment is determined.*

1. Current Law:

- a. Currently, only RESC magnets are subject to audit, and the audit is specific to financial data.
- b. Current statutory timelines to pay the magnet school operating grants are nearly impossible to meet due to the fact that the grants are based on student-level data which frequently changes and is “cleaned” over the course of the year.

2. Summary of Proposal:

- a. Amend language for magnet school operating grants to allow for prior year adjustments (PYAs) and recovery of funds when overpayment is determined. This affects the three sections of statute cited above and requires us to address audit of expenditure and pupil data.
- b. Currently, only RESC magnets are subject to audit, and the audit is specific to financial data. For FY11, there are 68 full- and part-time programs, and operating payments (projected) are approaching \$160M. Given the growth of the program(s) and the significant expenditures, the audits should be expanded to include all schools.
- c. We seek to eliminate the comparison of a grant to its budget as part of the grant calculation. Implementation of audits for all magnets and PYAs make this comparison unnecessary.
- d. Magnet school operating grants are based on student-level data which is “cleaned” over the course of the school year. Frequent data changes make it nearly impossible to calculate and pay all magnet operating grants within the current statutory timelines. We seek to adjust the payment timeline and apply PYAs—only in cases resulting in grant reductions.

3. Reason for Proposal:

- a. This proposal is in response to concerns raised by the state auditors and attempts to tighten up the magnet grant process by requiring prior year adjustments for changes in pupil and expenditure data. As a grant that will surpass the \$200,000,000 mark in 2011-12, the Department should be showing this type of due diligence.

4. Fiscal Impact:

- a. **State:** Potential minimal cost savings to the state due to recovered funds.

Subsection (d) of section 10-264l is repealed and the following is substituted in lieu thereof (Effective from passage):

(d) Grants made pursuant to this section shall be paid as follows: ~~Fifty~~ seventy per cent by September first and the balance by ~~January~~ May first of each fiscal year. The ~~January~~ May first payment shall be adjusted to reflect actual interdistrict magnet school program enrollment as of the preceding October first using the data of record as of the subsequent March 1, if the actual level of enrollment is lower than the projected enrollment stated in the approved grant

application. The May payment shall be further adjusted for the difference between the final entitlement for the prior fiscal year and the preliminary entitlement for such fiscal year in cases where the audited pupil and expenditure data pursuant to subsection (k)(1) of this section indicate an overpayment.

Subdivison (1) of subsectio (k) of section 10-264l is repealed and the following is substituted in lieu thereof (Effective from passage):

(k)(1) Each interdistrict magnet school **[operated by a regional educational service center]** shall annually file with the Commissioner of Education a financial audit in such form as prescribed by the commissioner.

31. Division of Finance and Internal Operations: Extend the transportation grants to Norwalk and Stamford due to the suspension of operations at J.M. Wright Technical High School for FY 12.

1. Current Law:

- a. Allows for transportation grants in FY 10 and 11 for students from Norwalk and Stamford who previously attended J.M. Wright.

2. Summary of Proposal:

- a. Extends the grant period to include FY 2012.

3. Reason of Proposal:

- a. The purpose of this proposal is to ensure that students who were entering their sophomore year at J.M. Wright when the school closed in the summer of 2009 will have access to the transportation grants in FY 12.
- b. The FY10 cost was \$97,500, and payments will decline in each subsequent year.

4. Fiscal Impact:

- a. **State:** Minimal if the grant cap comes off. The FY10 cost for all three grades was \$97,500, and payments will decline in each subsequent year. (If the grant is capped, there is no impact to the state.)
- b. **Local:** Other than Stamford and Norwalk who will benefit, very minimal negative impact on other districts from which funds will be redirected to pay this grant if grant continues to be capped.

5. Draft Language:

Section 84 of Public Act 09-3 of the June Special Session is repealed and the following is substituted in lieu thereof: (Effective from passage):

Notwithstanding the provisions of sections 10-266m and 10-97 of the general statutes, for the fiscal years ending June 30, 2010, **[and]** June 30, 2011, **and June 30, 2012**, the Commissioner of Education may provide grants, within available appropriations, in an amount not to exceed two thousand five hundred dollars per pupil, to local and regional boards of education that transport students who previously attended, or who have been accepted for enrollment at, J. M. Wright Technical School in Stamford to Henry Abbott Technical High School in Danbury, for the costs associated with such transportation. Such grants shall not exceed the actual costs of transportation for each pupil. Applications shall be submitted to the Commissioner of Education at such time and on such forms as the commissioner prescribes.

32. Connecticut Technical High School System: Increase Apprenticeship Tuition Rate to \$275.

1. Current Law:

- a. The tuition rate for the apprenticeship program is currently capped at \$100.

2. Reason for Proposal:

- a. As the CTHSS does not receive state funds to support adult education apprenticeship courses, each program location must generally be **self-sufficient**. The statutory tuition cap of \$100 set in 1992 has restricted the Department of Education’s ability to cover actual program costs.
- b. A minimum of \$2,600 per course must be collected in tuition and fees to be self-sufficient (to cover the payroll of the instructor, and a pro-rated portion of the supervisor and clerical staff wages).
- c. Current state statute 10-95e limits the tuition for apprentices to \$100 per course while non-apprentices pay \$275 per course. Depending on the mix of apprentices and non-apprentices in each course, class size must generally range from a minimum of nine (9) non-apprentices paying \$275 each to a minimum of 26 apprentices paying \$100 each.
- d. Despite several requests to modify 10-95e to increase the apprentice tuition, the rate remains at \$100 per course.
- e. Thus, the district has had to consolidate courses and program locations. The apprentice program at W.F. Kaynor was suspended last year due to low enrollment and Oliver Wolcott’s program was also suspended due to low enrollment for the fall 2010 semester (based on registration data).

3. Fiscal Impact:

- a. **State:** Savings and the ability to maintain program.

4. Draft Language:

Subsection (a) of section 10-95e of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2010*):

(a) The State Board of Education shall establish a Vocational Education Extension Fund. Within said Vocational Education Extension Fund, there is established an account to be known as the “vocational education extension account”. The Vocational Education Extension Fund may include other accounts separate and apart from the vocational education extension account. The vocational education extension account shall be used for the operation of preparatory and supplemental programs, including apprenticeship programs in accordance with subsection (b) of this section, and for the purchase of such materials and equipment required for use in the operation of said programs. All proceeds derived from the operation of said programs and revenue collected for rental or use of school facilities shall be credited to and become a part of the resources of said vocational education extension account, except as provided in subsection

(b) of this section. All direct expenses incurred in the conduct of said programs shall be charged, and any payments of interest and principal of bonds or any sums transferable to any fund for the payment of interest and principal of bonds and any cost of equipment for such operations may be charged, against said vocational education extension account on order of the state comptroller. Any balance of receipts above expenditures shall remain in said vocational education extension account to be used for said program and for the acquisition, as provided by section 4b-21, alteration and repairs of real property for educational facilities for such programs, except such sums as may be required to be transferred from time to time to any fund for the redemption of bonds and payment of interest on bonds, provided capital projects costing over one hundred thousand dollars shall require the approval of the general assembly or, when the general assembly is not in session, of the Finance Advisory Committee. The State Board of Education shall fix the tuition fees to be charged students for preparatory and supplemental programs including apprenticeship programs. [, provided the] The tuition fee fixed by the State Board of Education to be charged for any single apprenticeship program or course shall not exceed [one] two hundred seventy-five dollars. Not less than half of the tuition fee charged for any apprenticeship program shall be paid by the employer.

33. Proposals from the Division of Legal and Governmental Affairs: Extend Term for State Arbitrators

1. Current Law:

- a. By statute, SDE is required to have a panel of arbitrators with a minimum of twenty-four members. The current appointment is only for two years.

2. Summary of Proposal:

- a. This proposal seeks to extend the appointment to six years.

3. Reason for Proposal:

- a. Every time SDE has to fill these positions, SDE must advertise which costs approximately \$20,000. Additionally, the interview process, which requires the assembly of twelve individuals, many of whom are from outside the Department. The process is time consuming and administratively burdensome. Frequently, the panel of arbitrators remains consistent. With little turnover, extending the terms of arbitrators will streamline this process without interrupting the services offered to parties negotiating collective bargaining agreements. Therefore, we recommend extending the length of the appointment to minimize costs and the administrative burden on the Department.

4. Fiscal Impact:

- a. **State:** Savings

5. Draft Language:

Subsection (a) of section 10-153f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2010*):

(a) There shall be in the Department of Education an arbitration panel of not less than twenty-four or more than twenty-nine persons to serve as provided in subsection (c) of this section. The Governor shall appoint such panel, with the advice and consent of the General Assembly, as follows: (1) Seven members shall be representative of the interests of local and regional boards of education and shall be selected from lists of names submitted by such boards; (2) seven members shall be representative of the interests of exclusive bargaining representatives of certified employees and shall be selected from lists of names submitted by such bargaining representatives; and (3) not less than ten or more than fifteen members shall be impartial representatives of the interests of the public in general and shall be residents of the state of Connecticut, experienced in public sector collective bargaining interest impasse resolution and selected from lists of names submitted by the State Board of Education. The lists of names submitted to the Governor pursuant to subdivisions (1) to (3), inclusive, of this subsection shall, in addition to complying with the provisions of section 4-9b, include a report from the State Board of Education certifying that the process conducted for soliciting applicants made adequate outreach to minority communities and documenting that the number and make-up of minority applicants considered reflect the state's racial and ethnic diversity. Each member of the panel shall serve a term of [two] six years, provided each arbitrator shall hold office until a successor is appointed and, provided further, any arbitrator not reappointed shall finish to conclusion any

arbitration for which such arbitrator has been selected or appointed. Arbitrators may be removed for good cause. If any vacancy occurs in such panel, the Governor shall act within forty days to fill such vacancy in the manner provided in section 4-19. Persons appointed to the arbitration panel shall serve without compensation but each shall receive a per diem fee for any day during which such person is engaged in the arbitration of a dispute pursuant to this section. The parties to the dispute so arbitrated shall pay the fee in accordance with subsection (c) of this section.

34. Additional Proposal: *Amend campaign finance law to exclude members of the State Board of Education from the restrictions imposed on political activity of state department heads.*

1. **Current Law:**

- a. Prohibits any department head, which is defined to include State Board of Education members, from soliciting contributions for the benefit of any candidate for state, district or municipal office or any political party.

2. **Summary of Proposal:**

- a. This proposal seeks to exclude State Board members from the above mentioned fundraising restrictions which prohibit Board members from attending fundraisers even when they can legally contribute.
- b. The proposal does not amend the restriction that Board members are subject to the limitation on contributions to candidates for governor or lieutenant governor of no more than \$100.
- c. The proposal also seeks to allow a department head or deputy department head who is running for office to solicit campaign contributions for his or her own campaign as long as he or she does not solicit contributions from staff in the agency.

3. **Fiscal Impact:**

- a. None.

4. **Draft Language:**

Subdivision (11) of section 9-622 is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(11) Any department head or deputy department head of a state department who solicits a contribution on behalf of, or for the benefit of, any candidate for state, district or municipal office or any political party, provided that, (A) notwithstanding the provisions of section 4-5 of the general statutes, for purposes of this subdivision appointed members of the State Board of Education shall not be considered to be department heads; and (B) this prohibition shall not apply to a department head or deputy department head who is a candidate for state, district or municipal office provided that such department head or deputy department head solicits contributions only for such department head's or deputy department head's own campaign and provided further that such department head or deputy department head shall not solicit contributions from a member of such department head's or deputy department head's staff.