

Series: 2003-2004
Circular Letter: C-24

TO: Superintendents of Schools

FROM: Dr. Betty J. Sternberg, Commissioner of Education

DATE: May 18, 2004

SUBJECT: Highlights of the 2004 Regular Session of the Connecticut General Assembly

The Connecticut General Assembly has now adjourned its 2004 Regular Session. Below is a list of the most important education bills that were passed during that session and some examples of the contents of each bill. Please note that the Governor has not signed these bills, except as indicated, and that many of these bills have not yet been assigned public act numbers. (If a public act number has not yet been assigned, the substitute House or Senate bill number is provided and preceded by "sHB" or "sSB.") Additionally, we are in the process of getting the new legislation on the Department of Education's website under "Education Bills: 2004" at <http://www.state.ct.us/sde/legal/index.htm> and hope to have this finished shortly.

Once we have had an opportunity to review all of this year's legislation carefully, we will provide you with a more detailed summary of all of the 2004 legislation. Please remember that the **Back-to-School Meeting** for superintendents has been scheduled for **August 17, 2004**.

2004 HIGHLIGHTS

An Act Concerning Childhood Nutrition in Schools, Recess and Lunch Breaks (sHB5344, as amended) specifies that boards of education must require each school to (1) offer all full-day students a daily lunch period of not less than 20 minutes and (2) include in the regular school day for each student enrolled in grades kindergarten to 5, inclusive, a period of physical exercise, except that a planning and placement team may develop a different schedule for a child requiring special education. Additionally, this legislation provides that boards of education must make certain types of nutritious, low-fat foods and drinks available for purchase by students at all times when foods and drinks are available for purchase by students during the regular school day (see attachment for the specific language of this legislation) (effective July 1, 2004).

An Act Concerning Notification in Cases of Termination of Coaches (sSB 535, as amended) requires annual evaluations for athletic coaches employed by school districts and, for coaches who have served in the same coaching position for three or more consecutive school years and whose coaching contracts are terminated or not renewed, notification of such termination or nonrenewal no later than 90 days after the completion of the sport season covered by the coaching contract (effective July 1, 2004).

An Act Concerning Teachers' Evaluations (P.A. 04-137) provides that claims of failure to follow the established procedures of teacher evaluation programs are subject to the grievance procedures in collective bargaining agreements negotiated after July 1, 2004 (effective when the bill is signed by the Governor).

An Act Concerning the Costs Associated with Compliance with the No Child Left Behind Act (SHB 5584, as amended) in addition to requiring the Office of Policy and Management and the Commissioner of Education to analyze and report on the costs associated with compliance with the federal No Child Left Behind (NCLB) Act, this legislation provides implementing language for the revised Department of Education budget for 2004-05 (see **An Act Making Adjustments to the State Budget for the Biennium Ending June 30, 2005**, below) and includes, but is not limited to, changes to the education cost sharing (ECS) formula, school readiness program, and the charter school program (effective July 1, 2004, except for provisions regarding the NCLB report which are effective when the bill is signed by the Governor).

An Act Making Adjustments to the State Budget for the Biennium Ending June 30, 2005, and Making Appropriations Therefor . . . (P.A. 04-216; signed by the Governor on May 6, 2004) amends the Department of Education's budget for 2004-05 to include, but not be limited to, additional appropriations of approximately \$40.2M for ECS, \$5.6M for special education excess cost student-based grants, \$1.6M for family resource centers, \$18.7M for priority school districts and \$1.7M for competitive early childhood grants (effective July 1, 2004).

An Act Concerning Vocational Agricultural Centers (P.A. 04-197) increases the amount a vocational agriculture center may charge for tuition from an amount not to exceed 102% of the foundation (\$6,009) per student per year to an amount not to exceed 120% of the foundation (\$7,069) per student per year (effective July 1, 2004).

An Act Encouraging International Studies Programs (P.A. 04-153) expands the duties of the state's International Education Advisory Committee to require it to develop, for approval by the State Board of Education, (1) guidelines and standards to aid boards of education in the establishment of international studies programs and (2) criteria for what constitutes a sister-school partnership between a Connecticut public school and foreign school. The legislation permits the State Board of Education to recognize (1) schools that meet the approved guidelines and standards for international education programs and (2) sister-school partnership programs that meet the approved criteria (effective July 1, 2004).

An Act Concerning School Readiness (P.A. 04-215) includes, but is not limited to, (1) increasing the cap on the per child cost of the school readiness component of the program offered by a school readiness provider from the foundation (\$5,891) to \$6,400, (2) increasing the competitive school readiness grant from an amount not to exceed \$100,000 to an amount not to exceed \$107,000, (3) allowing for waivers from the requirements concerning the minimum hours, number of days, and number of weeks a school readiness program must operate, in order to maximize available funding to serve more children or address community needs and (4) allowing 70% of funds not earmarked for expenditure by towns to be used for supplemental grants to other towns and 30% of such funds that have not been earmarked to be used by the Department of Education for professional development for school readiness staff (effective July 1, 2004).

An Act Concerning Administration of Medication in Schools, Concerning School Nurses, and Repealing an Obsolete Section of the Statutes (P.A. 04-181) concerns issues such as (1) requiring written policies and procedures about the administration of medications in schools to be approved by the school medical advisor or other qualified licensed physician (formerly this approval was given by the Department of Public Health) and (2) the fingerprinting of employees of the endowed or incorporated academies approved by the State Board of Education, employees of approved special education facilities, and school nurses and nurse practitioners who are not employees of boards of education (effective July 1, 2004, except for provisions concerning fingerprinting of school nurses and nurse practitioners which are effective when the bill is signed by the Governor).

An Act Concerning Authorization of State Grant Commitments for School Building Projects . . . (P.A. 04-213) authorizes the Commissioner of Education to enter into grant commitments for school construction projects, including previously authorized projects that have changed substantially in scope or cost, as well as enacts special provisions for individual school construction projects (effective when the bill is signed by the Governor).

An Act Concerning Requirements for School Roofing Projects (P.A. 04-168) allows the Commissioner of Education to permit the minimum pitch of a roof for a total replacement of an existing roof to be one-quarter of an inch per foot, rather than one-half inch per foot, if there are certain conditions certified in writing by a licensed architect or engineer provided by the town or regional board of education (effective when the bill is signed by the Governor).

We hope that this is helpful. Please contact Katherine T. Nicoletti, Esq., at (860) 713-6520 or katherine.nicoletti@po.state.ct.us if you have questions.

Attachment

Circular letters:ktn 2004 highlights final-C-24

**House Bill No. 5344, as amended
(Unofficial Copy)**

"AN ACT CONCERNING CHILDHOOD NUTRITION IN SCHOOLS, RECESS AND LUNCH BREAKS. "

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

Section 1. (NEW) (*Effective July 1, 2004*) Each local and regional board of education shall require each school under its jurisdiction to (1) offer all full day students a daily lunch period of not less than twenty minutes, and (2) include in the regular school day for each student enrolled in grades kindergarten to five, inclusive, a period of physical exercise, except that a planning and placement team may develop a different schedule for a child requiring special education and related services in accordance with chapter 164 of the general statutes and the Individual With Disabilities Education Act, 20 USC 1400 et seq. , as amended from time to time. In the event of a conflict with this section and any provision of chapter 164 of the general statutes, such other provision of chapter 164 of the general statutes shall be deemed controlling.

Sec. 2. (NEW) (*Effective July 1, 2004*) Each local and regional board of education shall make available in the schools under its jurisdiction for purchase by students enrolled in such schools nutritious, low-fat foods and drinks, which shall include, but shall not be limited to, low-fat milk, one hundred per cent natural fruit juices and water at all times when drink is available for purchase by students in such schools and low-fat dairy products and fresh or dried fruit at all times when food is available for purchase by students in such schools during the regular school day.