

Series: 2004-2005
Circular Letter: C-1

TO: Superintendents of Schools

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

DATE: August 17, 2004

SUBJECT: **Final Summary of Education Legislation Enacted in the 2004 Regular and Special Sessions**

On May 18, 2004, I provided you with a circular letter highlighting the major education legislation passed by the 2004 Regular Session of the General Assembly (2003-04 Circular Letter C-24). Now, for your use is a more comprehensive summary of all of the public and special acts which are of general applicability and interest to school districts and were enacted during the 2004 Regular and Special Sessions of the General Assembly.

In reviewing this summary, please keep the following in mind:

- While comprehensive, this document does not describe every public or special act affecting the operation of a school district or provide every detail of the acts that are summarized. Consequently, since this is only a summary of new public and special acts, you should read the actual text of any act that is of interest to you. The public acts described in this letter are available on the Department of Education's website at <http://www.state.ct.us/sde/legal/2004bills.htm>. If you have questions about accessing this information or would like a copy of a particular bill, please call Marybeth Aleskwiz at (860) 713-6520.
- Each narrative entry is followed by a section number and effective date of the public or special act. The section number refers to the section of the act that has been summarized. In some cases only selected sections of an act have been included.
- Selected public acts concerning matters under the jurisdiction of state agencies other than the Department of Education have been included for your information. Questions concerning those acts should be directed to the appropriate state agency.
- "P.A." means Public Act; "S.A." means Special Act; and "MSS" means May, 2004 Special Session.

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To assist you, also included are:

- An index to key legislation; and
- A table that lists the sections of the Connecticut General Statutes and public and special acts which have been amended or repealed by the summarized legislation (Attachment A). Note: There are several public acts that make very technical changes to the education statutes and are not described in the narrative in this document (P.A. 04-26 and 04-257). However, the changes made by those acts have been included in the table of amended and repealed statutes.

If you have any questions about the new legislation, Department of Education staff members are ready and willing to help you. In most cases you will know from past experience whom to consult. However, if you do not know whom to contact or have general questions about this letter, please contact Attorney Katherine Nicoletti of the Office of Legal and Governmental Affairs at (860) 713-6520 or at: katherine.nicoletti@po.state.ct.us.

BJS:kn
Attachments

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**PUBLIC ACTS
REGULAR SESSION**

P.A. 04-12

AN ACT CONCERNING THE OFFICE OF PROTECTION AND ADVOCACY FOR PERSONS WITH DISABILITIES

- Shortens, from five days to as soon as practicable but no later than 72 hours, the time within which reports of **suspected cases of abuse or neglect of persons with mental retardation** must be made to the Office of Protection and Advocacy for Persons with Disabilities and adds licensed professional counselors to the list of persons who are required to make such reports. Under these provisions, (1) schoolteachers, principals, guidance counselors and paraprofessionals, among others, were already mandated reporters and (2) persons with mental retardation are defined as individuals with mental retardation who are at least the age of 18 and under the age of 60 and substantially unable to protect themselves from abuse (Sec. 2, effective October 1, 2004).

P.A. 04-13

AN ACT CONCERNING PAYMENT SCHEDULES FOR NONCERTIFIED EMPLOYEES

- Allows collective bargaining agreements for **noncertified employees** of boards of education to include **schedules for wage payments** that differ from the schedules required under state labor laws for employees generally. Formerly, collective bargaining agreements for certified and paraprofessional employees could include such different wage payment schedules. Now, collective bargaining agreements for certified and noncertified employees may include such wage payment schedules (Sec. 1, effective July 1, 2004).

P.A. 04-15

AN ACT CONCERNING SCHOOL READINESS STAFF QUALIFICATIONS

Amends the minimum qualifications of the individual who must be in each school readiness classroom by:

- Increasing the **minimum required number of early childhood education or child development credits** (from an institution of higher education accredited by the Board of Governors of Higher Education or regionally accredited) from 9 to 12, effective July 1, 2005, for staff holding credentials from an organization approved by the Commissioner of Education;
- Providing that an **individual with an associate's or four-year degree** may have that degree in any subject area, as long as the person has earned at least 9, and on or after July 1, 2005, 12 early childhood education or child

development credits. Formerly, such a person had to have an associate's or four-year degree in early childhood education or child development; and

- Providing that an individual with a Connecticut **teaching certificate** with an early childhood or special education endorsement meets the minimum qualifications (Sec. 1, effective July 1, 2004).

P.A. 04-54

AN ACT CONCERNING REVISIONS TO THE DEPARTMENT OF MENTAL RETARDATION STATUTES

- Specifies that the statewide **system of notifying boards of education regarding children** who participate in the state's **Birth-to-Three Program** and will be attaining the age of 3 in an upcoming fiscal year shall include provisions for preserving the confidentiality of the child and the parent or guardian of the child (Sec. 7, effective May 4, 2004).

P.A. 04-55

AN ACT ADOPTING THE UNIFORM ATHLETE AGENTS ACT

- Makes significant changes to the laws concerning **athlete agents**. For purposes of the new provisions, (1) athlete agents are individuals who enter into agency contracts with student athletes or, directly or indirectly, recruit or solicit student athletes to enter into agency contracts and (2) a student athlete is an individual who engages in, is eligible to engage in, or may be eligible in the future to engage in, any intercollegiate sport (Secs. 1 to 21, inclusive, effective January 1, 2005).

(For further information about this public act, please contact Thomas Cerasulo, Executive Assistant to the Commissioner of Consumer Protection, at (860) 713-6055.)

P.A. 04-57

AN ACT CONCERNING EDUCATION TECHNOLOGY PROGRAMS

- Allows **educational technology program grants** to boards of education to be used for wireless connectivity, in addition to previously authorized uses (Sec. 1, effective July 1, 2004).
- Requires superintendents to affirm, in their **grant applications** for new construction, alteration or renovation of a school building, that the school district considered the use and feasibility of **wireless connectivity technology** (Sec. 2, effective July 1, 2004).
- Transfers primary responsibility for the updating of (1) a statewide **standard for teacher and administrator competency in the use of technology for instructional purposes** and (2) a statewide plan to assist teachers and administrators to achieve the standard, from the Commission for Educational Technology to the Department of Education (Sec. 3, effective July 1, 2004).

P.A. 04-75

AN ACT CONCERNING TEACHER EDUCATION PROGRAMS AT INSTITUTIONS OF HIGHER EDUCATION

- Provides that on and after July 1, 2006, any program of **teacher preparation** leading to professional certification shall include, as part of the curriculum, **instruction in literacy skills**. This instruction is to be incorporated into requirements for student majors and concentrations (Sec. 1, effective July 1, 2004).

P.A. 04-112

AN ACT CONCERNING THE DEADLINE FOR DEPOSITING POLITICAL CONTRIBUTIONS AND AUTHORIZING TOWN COMMITTEES TO CONTRIBUTE TO SCHOLARSHIPS

- Allows **town committees** to contribute to **scholarships** awarded by high schools on the basis of objective criteria (Sec. 2, effective July 1, 2004).

P.A. 04-117

AN ACT CONCERNING THE PREPARATION OF MATERIALS FOR REFERENDA CALLED FOR BY A REGIONAL SCHOOL DISTRICT AND CONCERNING BUDGETS OF REGIONAL SCHOOL DISTRICTS

- Provides that for any **referendum called for by a regional school district**, the regional board of education must authorize the preparation and printing of concise explanatory texts of proposals or questions approved for submission to the electors of a municipality at a referendum (Sec. 1, effective May 21, 2004).
- Specifies how funds are to be expended by each town that is a member of a **regional school district** and how such **expenditures** are to be credited to each member town when the district's **annual budget is not approved** by a majority of the voters of the member towns before the beginning of any fiscal year (Secs. 2 and 3, effective July 1, 2004).

P. A. 04-130

AN ACT CONCERNING SEXUAL ASSAULT OF YOUTHS BY PERSONS STANDING IN A POSITION OF POWER, AUTHORITY OR SUPERVISION

- Expands the **crimes of sexual assault** in the 2nd and 4th degrees to include sexual intercourse (2nd degree) or sexual contact (4th degree) with another person when (1) the actor is 20 years of age or older and stands in a position of power, authority or supervision over such other person by virtue of the actor's professional, legal, occupational or volunteer status and such other person's participation in a program or activity and (2) such other person is under 18 years of age (Secs. 1 and 2, effective October 1, 2004).

P.A. 04-137

AN ACT CONCERNING TEACHERS' EVALUATIONS

- 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 (Sec. 1, effective May 21, 2004).

P.A. 04-138

AN ACT CONCERNING NATIONAL BOARD CERTIFICATION

- Provides that the State Board of Education is to issue a Connecticut **educator certificate** to a **teacher from another state who is nationally board certified** by an organization deemed appropriate by the Commissioner of Education, provided the teacher has taught in another state for a minimum of three years in the preceding 10 years. Under these provisions, the teacher will be issued a provisional educator certificate, except that if the teacher has completed 30 credit hours of course work beyond the baccalaureate degree, the teacher will be issued a professional educator certificate (Sec. 1, effective July 1, 2004).

P.A. 04-141

AN ACT REVISING PREQUALIFICATION REQUIREMENTS FOR STATE CONSTRUCTION CONTRACTS

Clarifies and revises the 2003 legislation concerning prequalification requirements for state construction contracts (P.A. 03-215) to:

- Require each public agency, as defined by the Freedom of Information Act (includes towns and boards of education), to compile **contractor evaluation information** during the performance of a contract for a building project under the agency's control if the building project is funded in whole or in part by state funds and is estimated to cost more than \$500K. This is in addition to the requirement that each public agency must complete and submit a contractor evaluation form to the Commissioner of Administrative Services after the completion of such a building project (Sec. 3, effective October 1, 2004).
- Provide that any public agency that fails to submit a **completed contractor evaluation form** not later than 70 days after the completion of the project shall be ineligible for the receipt of any public funds disbursed by the state for the purposes of the construction, reconstruction, alteration, remodeling, repair or demolition of any public building or any public works project until such completed evaluation form is submitted (Sec. 3, effective October 1, 2004).
- Exempt municipalities from the requirements concerning the submission of **reports regarding the status of ongoing public building projects** estimated to cost more than \$500K and paid for, in whole or in part, with state funds (Sec. 4, effective October 1, 2004).

(Please note that the summary above describes only some of the provisions in this public act and that this public act amends a very comprehensive set of new requirements enacted in 2003. Consequently, you may want to consult with your local board of education attorney for clarification of how this act applies to your district. For further information from the Department of Administrative Services, please contact Carlos Velez, Director of the Contractor Prequalification Program, at (860) 713-5280 or carlos.velez@po.state.ct.us.)

P.A. 04-153

AN ACT ENCOURAGING INTERNATIONAL STUDIES PROGRAMS

- Expands the duties of the state's **International Education Advisory Committee** to require it to:
 1. 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 the establishment of **sister-school partnership programs** between Connecticut public schools and foreign schools; and
 2. Advise the State Board on possible **incentives** to encourage the formation of sister-school partnerships (Sec. 2, effective July 1, 2004).
- Permits the **State Board to recognize** (1) schools that meet the approved standards for international education programs and (2) sister-school partnership programs that meet the approved criteria (Sec. 1, effective July 1, 2004).
- Provides that, within available appropriations, participation in a sister-school partnership program will allow the **foreign school** access to state programs of professional development and technical assistance under the same terms and conditions as there are for Connecticut's public schools (Sec. 1, effective July 1, 2004).

P.A. 04-168

AN ACT CONCERNING REQUIREMENTS FOR SCHOOL ROOFING PROJECTS

- Provides for an **exception to** the requirement that in order for the Department of Education to approve school building project plans for the total replacement of an existing roof, the roof must have a **minimum pitch of one-half inch per foot**. The exception permits a roof in such a project to have a minimum roof pitch of one-quarter 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 (Secs. 1 and 2, effective June 1, 2004).
- Requires the Department of Education to **report** to the General Assembly's Education and Environment Committees, not later than January 1, 2005, on (1) the number of **towns** and regional boards of education **that requested a reduction in the minimum roof pitch** in accordance with the exception

described above and (2) the number of such requests granted by the Department (Sec. 3, effective June 1, 2004).

P.A. 04-171

AN ACT CONCERNING THE DISCLOSURE OF VOICE MAILS UNDER THE FREEDOM OF INFORMATION ACT

- Amends the Freedom of Information Act to add that nothing in the act shall be deemed in any manner to require any public agency to transcribe the content of any **voice mail message** and retain such record for any period of time (Sec. 1, effective June 1, 2004).

P.A. 04-181

AN ACT CONCERNING ADMINISTRATION OF MEDICATION IN SCHOOLS, CONCERNING SCHOOL NURSES AND REPEALING AN OBSOLETE SECTION OF THE STATUTES

- Specifies that if a board of education allows the **administration of medications** in schools, (1) it must adopt written policies and procedures concerning that administration and (2) the **policies and procedures** must be **approved by the school medical advisor or other qualified licensed physician**. Formerly, the requirement to have policies and procedures was in state regulations and under those regulations the policies and procedures had to be approved by the Department of Public Health. Note: There have been no changes to the requirements that these policies and procedures be in accordance with Section 10-212a of the Connecticut General Statutes (C.G.S.), as amended, and the regulations adopted pursuant to that statute, and reviewed at least biennially (Sec. 1, effective July 1, 2004).
- Requires **school nurses and nurse practitioners** appointed by, or under contract with, any board of education and any nurse provided to a nonpublic school under the provisions of C.G.S. Section 10-217a, as amended, to submit to **criminal history records checks** (Sec. 2, effective June 1, 2004).
- Provides that regional educational service centers shall (1) if requested by an **endowed or incorporated academy** approved by the State Board of Education pursuant C.G.S. Section 10-34 or a **special education facility** approved pursuant to C.G.S. Section 10-76d, as amended, arrange for the **fingerprinting** of individuals required to submit to state and national criminal history records checks and (2) provide the results of the checks to the academy or facility (Sec. 3, effective July 1, 2004).
- Repeals an obsolete provision enacted in 2003 concerning teacher certification regulations (Sec. 4, effective July 1, 2004).

P.A. 04-197

AN ACT CONCERNING VOCATIONAL AGRICULTURAL CENTERS

- Increases the amount a **vocational agriculture center** may charge for **tuition** from an amount not to exceed 102 percent of the foundation (\$6,009) per student per year to an amount not to exceed 120 percent of the foundation (\$7,069) per student per year (Sec. 1, effective July 1, 2004).

P.A. 04-200

AN ACT CONCERNING WATER COMPANY LANDS

- Provides a credit against the corporation business tax for donations of **land for educational use**, i.e., the use by a town or school district for the purposes of schools and related facilities, and amends the Department of Public Utility Control laws concerning the sale of water company lands, including, but not limited to, the sale of land for an educational use (Secs. 1 to 5, inclusive, effective June 3, 2004).

P.A. 04-212

AN ACT CONCERNING WORKFORCE DEVELOPMENT

- Provides that the Office of Workforce Competitiveness establish, within available appropriations, a new competitive grant program to promote and encourage partnerships and collaborations involving technology-based business and industry with institutions of higher education and the regional vocational-technical (RVT) schools for the development of **educational programs in emerging and interdisciplinary technology fields** and to address related issues (Sec. 1, effective July 1, 2005).
- Requires the Commissioner of Education, in collaboration with others, to report, not later than January 1, 2005, to the Governor's Council on Economic Competitiveness and Technology, and others, on various initiatives and recommendations concerning **partnerships and articulation agreements** between the **RVT schools** and the **regional community-technical colleges** (Sec. 4, effective June 3, 2004).
- Requires the Office of Workforce Competitiveness, in consultation with the superintendent of the RVT schools, to create, not later than October 1, 2005, an **integrated system of statewide industry advisory committees** for each career cluster offered as part of the RVT school and regional community-technical college systems (Sec. 5, effective June 3, 2004).

P.A. 04-213

AN ACT CONCERNING AUTHORIZATION OF STATE GRANT COMMITMENTS FOR SCHOOL BUILDING PROJECTS AND CONCERNING MANCHESTER COMMUNITY COLLEGE AS A SPONSOR OF AN INTERDISTRICT MAGNET SCHOOL

- 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, and forgives the refunding of money to the state for a project for which a town redirected the use of a school building project for a public use other than a public school (Sec. 1, effective June 3, 2004).
- Enacts **special provisions** for individual school construction projects, including allowing the Board of Trustees of the Community-Technical Colleges on behalf of Manchester Community College to be eligible for reimbursement for construction, transportation and operating costs associated with an interdistrict magnet school on the campus of Manchester Community College (Secs. 2 to 28, inclusive, effective June 3, 2004; see also, Sec. 1 of S.A. 04-1 and Secs. 36 to 39, inclusive, of P. A. 04-1 of the May, 2004 Special Session).

P.A. 04-215

AN ACT CONCERNING SCHOOL READINESS

- Allows the Department of Education to use (1) for supplemental priority school district school readiness grants for additional spaces in school readiness programs, up to 70 percent of the **funds not earmarked**, by October first for expenditure by priority school districts and (2) 30 percent of such unearmarked funds for professional development for school readiness staff. Formerly, the unearmarked funds were available only for supplemental grants and the Department could not use more than 50 percent of those funds for that purpose (Sec. 2, effective July 1, 2004).
- Increases the **competitive school readiness grant** from an amount not to exceed \$100,000 to an amount not to exceed \$107,000 (Sec. 2, effective July 1, 2004).
- Increases the **cap on the per child cost** of the Department of Education school readiness component of the program offered by a school readiness provider from the foundation (\$5,891) to \$6,400 (Sec. 3, effective July 1, 2004).
- Allows the Department of Education, upon the request of a town or school readiness council and in consultation with the Department of Social Services, to grant a **waiver** from the requirements concerning the **minimum amount of time a school readiness program must operate**, provided the proposed schedule meets the state purposes concerning the development of school readiness programs and maximizes available funding to serve more children or address community needs (Sec. 3, effective July 1, 2004).
- Requires **local school readiness councils** to (1) assist in the identification of the number of eligible children not being served by school readiness programs in priority school districts and the estimated operating costs of providing school readiness programs to all such eligible children and (2) include this information

in their biannual reports to the Department of Education (Sec. 5, effective July 1, 2004).

- Requires the **State Board of Education**, not later than December 15, 2004, and annually thereafter, within available appropriations, to (1) make reasonable efforts to ensure the submission of the biannual **reports** that **school readiness councils** must submit and (2) summarize the reports and submit such summaries to the General Assembly's Education Committee (Sec. 6, effective July 1, 2004).

P.A. 04-216

AN ACT MAKING ADJUSTMENTS TO THE STATE BUDGET FOR THE BIENNIUM ENDING JUNE 30, 2005, AND MAKING APPROPRIATIONS THEREFOR, MAKING DEFICIENCY APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE 30, 2004, AND MAKING ADJUSTMENTS TO STATE AND MUNICIPAL REVENUES

- Amends the Department of Education's budget for 2004-05 to include, but not be limited to, **additional appropriations** of approximately \$40.2M for the education cost sharing (ECS) formula, \$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 school readiness grants (Secs. 1, 28, 30 and 35, effective July 1, 2004). (Note: Amendments to the statutes to implement the department's budget are described in the summary of P.A. 04-254, below.)

P.A. 04-217

AN ACT CONCERNING COMPLIANCE WITH THE FEDERAL MOTOR CARRIER SAFETY IMPROVEMENT ACT

- Makes numerous changes to the laws governing the issuing of, qualifying for, and holding of a **commercial driver's license** (CDL). Many of these changes are required to comply with provisions of the federal Motor Carrier Safety Improvement Act of 1999. However, there are also other changes, some of which concern the endorsements necessary for driving school buses and the **definition of a school bus**.

(For further information about this public act, please contact Delbert Cornell, Division Chief, Commercial Vehicle Safety Division, Department of Motor Vehicles, at (860) 263-5445 or Delbert.Cornell@dmvct.org.)

P.A. 04-221

AN ACT CONCERNING REVISIONS TO THE PUBLIC HEALTH STATUTES

- Specifies that when physicians, advanced practice registered nurses, registered nurses or physician assistants performing statutorily required **health assessment and screenings** of students sign the state health forms, the forms must be completely filled out (Sec. 36, effective July 1, 2004).

P.A. 04-222

AN ACT CONCERNING THE PRESERVATION OF THE FAMILY FARM AND LONG ISLAND SOUND

- Requires the Commissioner of Agriculture to establish and administer a program, within available resources, to promote schools in the state that serve farm products grown or produced in the state and allows schools that meet certain criteria to use the words “**Connecticut Farm Fresh School**” in any promotional materials or description of the school (Sec. 3, effective June 8, 2004).

P.A. 04-224

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

- 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 (Sec. 1, effective July 1, 2004).
- Requires each board of education to make available in its schools for purchase by students enrolled in its schools **nutritious, low-fat foods and drinks**, which shall include, but not be limited to, low-fat milk, one hundred percent 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 (Sec. 2, effective July 1, 2004).

P.A. 04-225

AN ACT CONCERNING THE CONNECTICUT STUDENT LOAN FOUNDATION

- Expands the Connecticut Student Loan Foundation’s authority by allowing it to make and guarantee **loans to assist individuals in meeting the expenses of elementary and secondary education**. Formerly, it could only make and guarantee loans to meet the expenses of postsecondary education (Sec. 1, effective July 1, 2004).

(For further information about this public act, please contact R. Richard Croce, Vice President and General Counsel, Connecticut Student Loan Foundation, at (860) 257-4001, ext. 224, or rcroce@mail.csflf.org.)

P.A. 04-227

AN ACT CONCERNING ENGLISH AS A SECOND LANGUAGE INSTRUCTION AND IN-SERVICE TRAINING FOR TEACHERS AND TEACHER PREPARATION COURSES

- Requires boards of education that are required to provide bilingual education programs to include, in their **in-service training** programs for certified school personnel, information on **second language acquisition** (Sec. 1, effective July 1, 2004).
- Specifies that on and after July 1, 2006, any program of **teacher preparation** leading to professional certification shall include, as part of the curriculum, **instruction in second language learning and second language acquisition**. This instruction is to be incorporated into requirements for student majors and concentrations (Sec. 2, effective July 1, 2004).

P.A. 04-237

AN ACT REVISING THE STATE BUILDING CODE FOR SUBSTANTIAL COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT AND CONCERNING MAIN ENTRANCES IN PLACES OF PUBLIC ASSEMBLY

- Amends the requirement enacted in 2003 concerning the size of **main entrances for places of public assembly** constructed or renovated to increase capacity or change occupancy to, among other things, (1) limit the requirement to certain new construction and renovation of places of public assembly with a single main entrance and (2) allow the State Fire Marshal or State Building Inspector to grant a variation or exemption from the requirement where strict compliance would entail practical difficulty or unnecessary hardship or is otherwise adjudged unwarranted (Sec. 8, effective June 8, 2004).

P.A. 04-243

AN ACT CONCERNING TERMINATION OF COACHES

- Requires athletic **coaches** employed by boards of education to be **evaluated annually** and provided with copies of their evaluations (Sec. 1, effective July 1, 2004).
- For an **athletic coach** who has served in the same coaching position for three or more consecutive school years and whose coaching contract is terminated or not renewed, (1) requires the board of education to inform such coach of the **termination or nonrenewal** no later than 90 days after the completion of the sport season covered by the contract and (2) gives the coach an opportunity to appeal the decision to the board of education (Sec. 1, effective July 1, 2004).
- Specifies that nothing in the act shall prohibit a board of education from terminating a coaching contract at any time (1) for reasons of moral misconduct, insubordination or a violation of the rules of the board of education or (2) because a sport has been cancelled by the board (Sec. 1, effective July 1, 2004).

P.A. 04-246

AN ACT CONCERNING ELECTRIC TRANSMISSION LINE SITING CRITERIA

- Requires the **Connecticut Siting Council** to consider, when it approves the construction of electric transmission lines and certain other energy and telecommunications facilities, the **location of public and private schools** (Secs. 1 to 12, inclusive, effective June 3, 2004, and applicable to certain pending applications for a certificate of environmental compatibility and public need).

P.A. 04-254

AN ACT CONCERNING EDUCATION IMPLEMENTER PROVISIONS

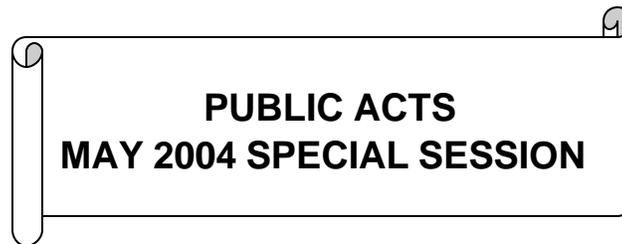
- Requires the Secretary of the Office of Policy and Management and the Commissioner of Education, or their designees, to analyze and report to the General Assembly's Education Committee, on or before January 1, 2005, on the **costs associated with compliance with** mandates imposed by the federal **No Child Left Behind (NCLB) Act** (Sec. 1, effective June 14, 2004).
- Amends the **education cost sharing (ECS)** formula and increases ECS aid to all towns for 2004-05 by (1) reducing the impact of the cap on annual increases, (2) restoring the density supplement for towns with population densities greater than the state average, (3) providing funds for districts that fell below their 2002-03 grant, and (4) providing for a minimum increase over 2003-04 grants (Sec. 2, effective July 1, 2004).
- Makes towns that are among the 28 poorest (based on town wealth as defined for purposes of the ECS formula), but do not meet the statutory conditions to be priority school districts, eligible for **competitive school readiness grants** (Sec. 3, effective July 1, 2004).
- Amends **school readiness funding provisions** to eliminate the statutory language referring to the specific amount of funds for the school readiness competitive grant program for 2004-05 (the amount is in a line item in P.A. 04-216, above) and makes technical changes related to the funding of that program (Secs. 3 and 10, effective July 1, 2004).
- Provides the following approximate amounts of **additional funds for** (1) **priority school districts** and, for 2004-05, specified former priority districts (\$8.7M), (2) priority school district school readiness (\$7M), early reading (\$1M), and summer school programs (\$900K), and (3) priority school district school improvement (\$1.1M), except that Sec. 83 of P.A. 04-2, May, 2004 Special Session, below, reallocates the school improvement funds to the early reading program (Secs. 4, 5, and 9, effective July 1, 2004).
- For 2004-05, caps the increase of the amount payable to **charter schools** at \$110 for each enrolled student if the charter school appropriation exceeds \$7,250 per student. For subsequent years, the per-student grants continue to be increased proportionately if the amount of the appropriation exceeds \$7,250 per student (Sec. 8, effective July 1, 2004).

- Allows **Amistad Academy**, a New Haven charter school, to enroll up to 300 students rather than 250 students (Sec. 11, effective July 1, 2004).

P.A. 04-258

AN ACT CONCERNING STATE EXPENDITURES FOR SOCIAL SERVICES PROGRAMS

- Requires the Commissioner of Children and Families to ensure that when a **child** is placed by the Department of Children and Families (DCF) **in a residential facility in another state**, a representative of DCF will make **in-person visits** with the child **no less frequently than every two months** in order to assess the well-being of the child (Sec. 19, effective July 1, 2004).
- Transfers \$1M of the **funds** appropriated to the Department of Education for **interdistrict magnet schools** to the Department of Mental Retardation to provide residential services to individuals on the waiting list for such services (Sec. 21, effective July 1, 2004).



MAY, 2004 SPECIAL SESSION, P.A. 04-1

AN ACT INCREASING CERTAIN BOND AUTHORIZATIONS FOR CAPITAL IMPROVEMENTS

- Increases the amount of bond funds authorized to finance **school construction grants** and for **interest subsidy grants** (Secs. 6 and 7, effective July 1, 2004).
- Authorizes the **Connecticut Health and Educational Facilities Authority** (CHEFA) to issue bonds to fund **loans** to:
 1. Participating qualified nonprofit organizations (municipalities, local boards of education with the approval of the municipal legislative body, regional school districts and regional educational service centers) for **preschool projects**, including, but not limited to, the acquisition, construction, furnishing or equipping of facilities for nonprofit educational programs for three-year-old and four-year-old children (Sec. 24, effective June 8, 2004); and
 2. **Child care and child development centers** for new construction or renovation of existing centers. For purposes of this provision, "child development center" means a building used by a nonprofit school

readiness program as defined in C.G.S. Section 10-16p, as amended (Sec. 32, effective June 8, 2004).

**MAY, 2004 SPECIAL SESSION, P.A. 04-2
AN ACT CONCERNING BUDGET IMPLEMENTATION**

- Specifies that a **regional educational service center** is to be considered an agency of the state for purposes of a provision stating when the state's Uniform Commercial Code – Secured Transactions does not apply (Sec. 68, effective May 12, 2004, and applicable to any pledge, lien or security interest of the state or any political subdivision of the state in existence on October 1, 2003, and to any such pledge, lien or interest created after October 1, 2003).
- Transfers the \$1.1M appropriated to the Department of Education for **priority school district** school improvement to the allocation for priority school districts for early reading (Sec. 83, effective July 1, 2004; amends Sec. 9 of P.A. 04-254, above).



**MAY, 2004 SPECIAL SESSION, S.A. 04-2
AN ACT AUTHORIZING BONDS OF THE STATE FOR CAPITAL IMPROVEMENTS
AND OTHER PURPOSES**

- Removes a requirement that not more than \$3.2M of \$18.2M authorized for alterations and improvements to the **regional vocational-technical schools** (RVTSs) had to be used for the renovations and improvements to the A.I. Prince RVTS/Community Technical College building (Sec. 97, effective July 1, 2004).
- Authorizes funding to the Department of Environmental Protection for **grants-in-aid or loans** to several towns for **school-related projects** (Sec. 101, effective July 1, 2004).
- Specifies that of the up to \$5M authorized for the Department of Education for **grants-in-aid** to towns, regional school districts and regional educational service centers for the costs of **wiring school buildings**, not less than \$800K shall be made available for a library technology upgrade at Rogers Elementary School as an urban demonstration project (Sec. 122, effective July 1, 2004).

Attachment A

**TABLE OF AMENDED AND REPEALED STATUTES
AND PUBLIC ACTS FOR 2004**

Statute	Public Act
1-213	04-171, S. 1
4-124z (b)	04-212, S. 3
4d-85	04-57, S. 3
7-405	04-117, S. 2
9-333h	04-112, S. 2
9-369b	04-117, S. 1
10-4 (d) (added)	04-215, S. 6
10-16o	04-215, S. 1
10-16p	04-215, S. 2; 04-254, S. 3
10-16p (b)	04-15, S. 1
10-16p (d)(2)	04-26, S. 1
10-16q	04-215, S. 3
10-16r (b)	04-215, S. 5
10-16u	04-215, S. 4
10-27	04-153, S. 2
10-27 (c)	04-257, S. 9
10-51 (a)	04-117, S. 3
10-64 (d) (added)	04-197, S. 2
10-65 (b)	04-197, S. 1
10-66c (i) (added)	04-2, May Sp. Sess., S. 68
10-66j (f)	04-26, S. 2
10-66ee (c)	04-254, S. 8
10-71 (a)(1)	04-257, S. 10
10-145a (f) (added)	04-75, S. 1; 04-227, S. 2
10-145b (k)	04-138, S. 1
10-151b (a)	04-137, S. 1
10-155d (b)	04-26, S. 3
10-206 (d)	04-221, S. 36
10-212	04-181, S. 2
10-212a (a)	04-181, S. 1
10-217a (b)(1)	04-257, S. 11
10-220 (d)	04-26, S. 4

Attachment A

**TABLE OF AMENDED AND REPEALED STATUTES
AND PUBLIC ACTS FOR 2004**

Statute	Public Act
10-220a (a)	04-227, S. 1
10-221d (b)	04-181, S. 3
10-262h (a)(6)	04-254, S. 2
10-262n (a)	04-57, S. 1
10-264i (a)	04-213, S. 21
10-264l (a)	04-213, S. 22
10-264l (b)	04-257, S. 12
10-266p	04-254, S. 4
10-266t (h)	04-26, S. 5
10-266aa (e)	04-26, S. 6
10-281 (b)	04-26, S. 7
10-283 (a)(1)	04-57, S. 2; 04-213, S. 23
10-287d	04-1, May Sp. Sess., S. 6
10-291 (b)	04-168, S. 1
10-291 (b)(4)	04-26, S. 8
10-292k	04-1, May Sp. Sess., S. 7
10-292o (d)	04-26, S. 9
10a-194c	04-1, May Sp. Sess., S. 32
10a-201	04-225, S. 1
12-217dd	04-200, S. 2
Title 14 (various sections)	04-217
16-43 (d) & (e)	04-200, S. 1
16-43b	04-200, S. 3
16-50d (f)	04-200, S. 5
16-50l (a)	04-246, S. 1, 2
16-50o	04-246, S. 8, 9
16-50p (a)	04-246, S. 3, 4
16-50p (c)	04-246, S. 5, 6
16-50p (h) (added)	04-246, S. 7
16-50t	04-246, S. 10
17a-151aa	04-258, S. 19
17a-248d (e)	04-54, S. 7

Attachment A

**TABLE OF AMENDED AND REPEALED STATUTES
AND PUBLIC & SPECIAL ACTS FOR 2004**

Statute	Public Act
20-553 to 20-558, repealed	04-55, S. 21
31-71b (c)	04-13, S. 1
46a-11b (a)	04-12, S. 2
53a-71	04-130, S. 1
53a-73a	04-130, S. 2
Public Act	Amended by
03-168, S. 8, repealed	04-181, S. 4
03-215, S. 4	04-141, S. 3
03-215, S. 6	04-141, S. 4
03-231, S. 3	04-237, S. 8
Public Act	Amended by
03-1, June Sp. Sess., S. 11	04-216, S. 1
03-1, June Sp. Sess., S. 43(b)	04-216, S. 35
03-6, June Sp. Sess., S. 29	04-254, S. 9
04-254, S. 9	04-2, May Sp. Sess., S. 83
Special Act	Amended by
01-2, June Sp. Sess., S. 2(h)(1)	04-2, May Sp. Sess., S. 97
01-2, June Sp. Sess., S. 9(b)(1)	04-2, May Sp. Sess., S. 101
02-1, May Sp. Sess., S. 24	04-2, May Sp. Sess., S. 122