

Series: 2007-2008

Circular Letter: C-5

TO: Superintendents of Schools

FROM: Mark K. McQuillan, Commissioner of Education

DATE: August 16, 2007

SUBJECT: Summary of Legislation Enacted in the 2007 Regular and Special Sessions of the Connecticut General Assembly as of August 16, 2007

The Connecticut General Assembly has now adjourned its 2007 Regular Session and is expected to be meeting in September to complete the 2007 June Special Session. While there are still some issues to be addressed, a significant amount of legislation related to education has been enacted so far this year. Consequently, we thought it would be helpful to provide you now with a summary of public acts that may be of interest. If additional education-related legislation is enacted when the General Assembly completes the special session, we will advise you.

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

- While comprehensive, this document does not describe every 2007 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 legislation, you should read the actual text of any act that is of interest to you. If you are reviewing this document electronically, you can click on the act title to see the text of the act. Additionally, the public acts described in this letter are available on the Department of Education's website at <http://www.state.ct.us/sde/legal/2007bills.htm>. Questions about accessing this information should be directed to Marybeth Aleskwiz at (860) 713-6520.
- As you will see, the summaries are in two parts. The first part contains those newly enacted laws that primarily concern education. The second part includes summaries of other acts that may be of interest. This latter section has been included to alert you to changes in those areas. Questions concerning those acts should be directed to the appropriate state agency or your board attorney.
- Each narrative entry is followed by a section number and effective date of the public 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.
- "P.A." means Public Act; "JSS" means the 2007 June Special Session.

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).

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 T. Nicoletti of the Division of Legal and Governmental Affairs at (860) 713-6520 or at katherine.nicoletti@ct.gov.

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Part One
2007 PUBLIC ACTS PRIMARILY CONCERNING EDUCATION LAWS

JUNE 2007 SPECIAL SESSION PUBLIC ACTS

P.A. 07-1, June Special Session, AN ACT CONCERNING THE STATE BUDGET FOR THE BIENNIUM ENDING JUNE 30, 2009, AND MAKING APPROPRIATIONS THEREFOR.

Makes **general fund appropriations** to state agencies, including the Department of Education, for the 2007-08 and 2008-09 fiscal years. For the 2007-08 fiscal year, general fund appropriations (including surpluses) for education grants will increase by more than \$235 million or 11%. The largest increases are for education cost sharing (ECS) (\$181.6M), special education student-based excess costs (\$18M), interdistrict magnet schools (\$7M) and charter schools (\$5.4M). Funding for vocational agriculture increased by 86% to \$4.48M. In addition, there is funding for a number of initiatives including, but not limited to, a new accountability system for school districts, professional development for school paraprofessionals, and preschool education including, but not limited to, a quality rating system and staff bonuses. Additionally, \$5M of surplus funds are available in each year of the biennium for competitive grants for school security. This grant program will be administered by the Department of Emergency Management and Homeland Security. While most grant caps remain in place, the cap has been eliminated for the special education student-based excess costs grant.

P.A. 07-3, June Special Session, AN ACT IMPLEMENTING THE PROVISIONS OF THE BUDGET CONCERNING EDUCATION.

• **Accountability:**

1. Requires that any **school or school district identified as in need of improvement** under Connecticut law **and requiring corrective action** pursuant to the federal No Child Left Behind Act (NCLB), P.L. 107-110, be designated and listed as a low achieving school or school district and subject to **intensified supervision and direction by the State Board of Education**. In carrying out this supervision and direction, the State Board is to take any of the specified actions to improve student performance and remove the school or district from the list of schools or districts designated as low achieving and to address other needs of the school or district (Sec. 32, effective July 1, 2007).
2. Requires the **Comptroller** under certain circumstances to **withhold certain grant funds** that a town is otherwise required to appropriate to a local or regional board of education and transfer these funds to the Department of Education to be spent by the school district in accordance with directives of the Commissioner of Education (Sec. 32, effective July 1, 2007) (See also description of minimum budget requirement (MBR) in Sec. 63 of this act, below).
3. Requires the **State Board of Education to monitor the progress** of each school or district designated as low achieving and if, for two consecutive years, a district fails to

make acceptable progress toward meeting benchmarks established by the State Board and fails to make adequate yearly progress (AYP) pursuant to NCLB, the State Board may ask the General Assembly to enact legislation authorizing that the control of the district be reassigned to the State Board or other authorized entity (Sec. 32, effective July 1, 2007).

4. Requires that any school district or elementary school after two successive years of failing to make AYP shall be designated as a low achieving school district or school and be **evaluated by the Commissioner of Education** who may require the school district or school to take certain actions (Sec. 32, effective July 1, 2007).
5. Allows each local or regional board of education with jurisdiction over an **elementary or middle school** that fails to make AYP based on whole school academic achievement in mathematics, reading, or both, as determined under the state-wide accountability plan for two consecutive years, to **reorganize** such school to meet specified statutory requirements (Sec. 33, effective July 1, 2007).
6. Establishes a **pilot program** for the fiscal years ending June 30, 2008, to June 30, 2013, inclusive, concerning the **determination of AYP** for the Bridgeport, Hartford and New Haven school districts. Pursuant to this program, the Department of Education shall determine AYP for each district with data from the schools under the jurisdiction of the district and data from any state charter school located in the district, provided the local board of education and the charter school reach a mutual agreement for the inclusion of this data from the charter school and the State Board of Education approves the terms of the agreement. The Department of Education is to report to the General Assembly on the results of this pilot program not later than October 1, 2013 (Sec. 54, effective July 1, 2007).

- **Education Cost Sharing and Minimum Budget Requirements:**

1. Amends the **education cost sharing (ECS)** formula by (A) increasing the state guaranteed wealth level, the minimum base aid ratio, and the foundation, (B) changing the weightings for resident students to better reflect need, and (C) phasing in full funding of the ECS grant over time (Secs. 61 and 62, effective July 1, 2007).
2. Modifies the **minimum budget requirement (MBR)** to (A) allow towns to use a portion of their ECS aid increase for non-educational purposes, (B) provide that twenty percent of a town's increased aid will be withheld if a school district is in at least the third year of being identified as in need of improvement under NCLB and has failed to make AYP in mathematics or reading at the whole district level, and (C) allow towns to request, by September 15, 2007, that the department defer a portion of their aid increase for the 2007-08 fiscal year to the 2008-09 fiscal year (Sec. 63, effective July 1, 2007).
3. Repeals the **minimum expenditure requirement (MER)** (Sec. 64, effective July 1, 2007).

4. Provides that not later than October 1, 2007, the Department of Education must notify any local or regional board of education that enrolls **students in full-time interdistrict magnet school programs** that such board should anticipate that for the 2009-10 fiscal year, such students will be counted at a rate of 50% for the purpose of calculating **total need students** for purposes of the education cost sharing (ECS) formula (Sec. 60, effective July 1, 2007).
- Provides that the Commissioner of Education, the chairperson of the State Board of Education, the Secretary of the Office of Policy and Management and the co-chairpersons and ranking members, or their designees, of the General Assembly's Education Committee shall form a **committee to study high school graduation requirements** and report on the study to the Governor and the General Assembly not later than January 15, 2008 (Sec. 34, effective July 1, 2007).
 - **OPEN Choice Program:**
 1. Increases the cap on the amount of the grants to RESCs and boards of education for the cost of **transportation** for students participating in the OPEN Choice program so that the state-wide average of the grants does not exceed an amount equal to \$3,250 for each student transported. Formerly, the grants could not exceed an amount equal to \$2,100 for each such student (Sec. 9, effective July 1, 2007).
 2. Increases the **grants to districts that receive students** in the OPEN Choice program to an amount not to exceed \$2,500 for each out-of-district student who attends school in the receiving district. Formerly, the amount was not to exceed \$2,000 for each such student (Sec. 9, effective July 1, 2007).
 3. Increases the amount of the nonlapsing OPEN Choice program funds that the Commissioner of Education is to use for **supplemental grants** to receiving districts from any amount up to \$350,000 to any amount up to \$500,000 (Sec. 10, effective July 1, 2007).
 - **Charter Schools:**
 1. Increases charter school **operating grants** to \$8,650 per pupil for the 2007-08 fiscal year and to \$9,300 for the 2008-09 fiscal year. For the 2006-07 fiscal year, the amount was \$8,000 per pupil (Sec. 11, effective July 1, 2007).
 2. Permits appropriated charter school **funds not used for operating grants** to be used to pay for a portion of comprehensive **financial audits** required pursuant to Section 15 of the act, below. These funds not used for operating grants continue to also be available for supplemental grants to interdistrict magnet schools (Sec. 11, effective July 1, 2007).
 3. Provides that charter school **governing councils** must include in their **membership** the chairperson of the local or regional board of education of the town in which the charter school is located, or the chairperson's designee, provided the designee is a

member of the board of education or the superintendent of schools for the district (Sec. 12, effective July 1, 2007);

4. Specifies that charter school **governing councils** include revenues from public and private sources in their annual certified **audit statements** of all revenues (Sec. 13, effective July 1, 2007).
5. Requires the **governing council** of each state charter school to post the schedule, agenda and minutes of each council meeting on any Internet **website** that the council operates (Sec. 14, effective July 1, 2007).
6. Requires that annually the Commissioner of Education must randomly select one state charter school to be subject to a **comprehensive financial audit** conducted by an auditor selected by the Commissioner of Education (Sec. 15, effective July 1, 2007).
7. Specifies the factors that the State Board of Education must consider in determining which **charter school is funded first** if in any fiscal year more than one new state charter school is approved and awaiting funding (Sec. 16, effective July 1, 2007).

- **Interdistrict Magnet Schools:**

1. Increases the **operating grants** for interdistrict magnet schools over four years and changes the formula for distributing the grants (Sec. 40, effective July 1, 2007).
2. Provides that after accommodating students from districts participating in interdistrict magnet schools in accordance with approved enrollment agreements, an interdistrict magnet school that has unused student capacity may **enroll directly** into its program any interested student. Students from districts that are not participating in the interdistrict magnet school are to be given preference. Boards of education otherwise responsible for educating such students must pay tuition in specified amounts to support the operation of the school (Sec. 42, effective July 1, 2007).
3. Requires (A) interdistrict magnet schools operated by regional educational service centers to annually file **financial audits** with the Commissioner of Education, and (B) the commissioner to annually randomly select one such school to be subject to a comprehensive financial audit conducted by an auditor selected by the commissioner (Sec. 42, effective July 1, 2007).

- **CommPACT Schools:**

1. Allows a local or regional board of education, through agreement with the organizations designated or elected as the exclusive representatives of the teachers' and administrators' units for the teachers and administrators employed by the board, to create a CommPACT school with **autonomy in governance, budgeting and curriculum** (Sec. 37, effective July 1, 2007).

2. Requires (A) the Department of Higher Education to contract with the Neag School of Education at the **University of Connecticut** to administer a **field-based support program** for up to 12 CommPACT schools, and (B) the Neag School of Education to report by January 1, 2009, to the Commissioners of Education and Higher Education and the General Assembly on the services provided to CommPACT schools (Sec. 38, effective June 26, 2007).
- Requires the Department of Higher Education to contract with the Board of Trustees for the **Connecticut State University system** to develop a **college readiness grant program** to address core subject-matter deficiencies among high school students who will transition to institutions of higher education and to improve such students' performance on Connecticut mastery examinations and college placement examinations (Sec. 39, effective June 26, 2007).
 - **Early Childhood:**
 1. Redefines how **unexpended school readiness funds** may be used (Sec. 17, effective July 1, 2007).
 2. Requires the Commissioner of Education to develop and implement a state-wide developmentally appropriate **kindergarten assessment tool** by October 1, 2007, rather than by October 1, 2009, and specifies that the tool not be used as a measurement tool for program accountability (Sec. 18, effective July 1, 2007).
 3. Changes and adds to the responsibilities of the **Early Childhood Education Cabinet** by requiring the cabinet to undertake activities including, but not limited to, (A) developing and implementing an accountability plan for early childhood education services, (B) developing minimum standards and a range of higher standards of quality for all early care and education programs receiving state funding, and (C) developing a quality workforce development plan for school readiness (Sec. 19, effective July 1, 2007, and Secs. 20 and 21, effective June 26, 2007).
 4. Requires the Connecticut Health and Educational Facilities Authority and the Department of Education to develop a **plan to increase capacity** in school readiness programs and to report on such plan to the Governor and the General Assembly by January 1, 2008 (Sec. 45, effective July 1, 2007).
 5. Amends the **pilot early childhood learning grant program** to eliminate some of the grant eligibility limitations, make the programs model programs rather than pilot programs, require that the programs be associated with higher education institutions and specify that grant eligibility is determined for a five-year period (Secs. 46 and 47, effective July 1, 2007).
 6. Eliminates a requirement that at least 75% of state **Head Start** competitive grant funding be allocated to Head Start programs established prior to July 1, 1992 (Sec. 48, effective July 1, 2007).

- **Vocational Agriculture Programs:**

1. Increases the state **grants to boards of education** operating vocational agriculture programs from \$700 to \$1,355 for every student enrolled in the program on October first of the previous year and increases to approximately \$8,000 as the limit on the **tuition that a board of education** operating a vocational agriculture center **may charge**. Formerly, the tuition limit was approximately \$7,100 (Sec. 24, effective July 1, 2007).
2. Specifies that each local and regional board of education not maintaining a vocational agriculture center shall provide **opportunities for its students to enroll** in such a center in a number that is at least equal to the number specified in any written agreement with a vocational agriculture center, or in the absence of such an agreement, a number that is at least equal to the average number of its students that the board of education enrolled in a vocational agriculture center during the previous three school years (Sec. 24, effective July 1, 2007).

- Provides that for the 2007-08 and 2008-09 fiscal years the Connecticut Distance Learning Consortium must deliver **on-line courses** developed in conjunction with or approved by the Departments of Education and Higher Education, the regional educational service centers or other agencies interested in the delivery of on-line courses to public schools, provided the Department of Education approves the content of any course that is offered for academic credit in a public school (Sec. 25, effective July 1, 2007).

- Amends provisions concerning the **after-school grant program** to include, but not be limited to, requirements that (1) the Department of Education provide grant recipients with technical assistance, evaluation and monitoring, (2) grant recipients file expenditure reports with the Commissioner of Education, and (3) the Department of Education report to the General Assembly not later than October 1, 2008, and biennially thereafter, on performance outcomes of the programs receiving such grants (Sec. 26, effective July 1, 2007).

- **School Paraprofessionals:**

1. Requires the Department of Education to (A) through the State Education Resource Center and within available appropriations, promote and encourage **professional development activities** for school paraprofessionals with instructional responsibilities, and (B) report and make recommendations to the General Assembly concerning professional development for school paraprofessionals and the status and future of school paraprofessionals with instructional responsibilities (Secs. 27 and 28, effective July 1, 2007).
2. Requires the Commissioner of Education to establish a **School Paraprofessional Advisory Council** to (A) advise the commissioner on the needs for the training of school paraprofessionals with instructional responsibilities and the content and delivery of existing training for such paraprofessionals, and (B) report to the General

Assembly at least quarterly on the recommendations given to the commissioner (Sec. 29, effective July 1, 2007).

- Requires the **Regional Educational Service Center Minority Recruiting Alliance**, in consultation with the Departments of Education and Higher Education and other entities, to:
 1. Study methods to (A) encourage minority middle and secondary school students to attend institutions of higher education and enter teacher preparation programs, (B) recruit minority students attending institutions of higher education to enroll in teacher preparation programs and pursue teaching careers, and (C) recruit and maintain minority teachers in Connecticut schools;
 2. Propose guidelines to the Commissioners of Education and Higher Education for pilot programs to recruit and retain minority teachers; and
 3. Report by January 1, 2008, to the Departments of Education and Higher Education and the General Assembly on (A) the results of the study, (B) the guidelines for pilot programs, and (C) the establishment and operation of any such pilot programs (Sec. 31, effective July 1, 2007).
- **Early Reading Success:**
 1. Requires the Department of Education to (A) develop measures of the **efficacy of the early reading intervention programs** used by the state's Early Reading Success (ERS) grant recipients, (B) list the programs that are efficacious and make the list available to grant recipients, (C) provide the measures and the list of efficacious programs to the Governor and General Assembly by January 1, 2008, (D) annually use the efficacy measures to determine the efficacy of the programs used by each grant recipient, and (E) if it is determined that a grant recipient is using a program that is not shown to be effective, require the recipient to use a program from the list of programs that are efficacious (Sec. 44, effective July 1, 2007).
 2. Requires applicants for ERS grants to provide for (A) the **monitoring** of programs, in addition to students, in their program proposals, and (B) the use of the measures of efficacy as developed by the Department of Education (Sec. 43, effective July 1, 2007).
- Requires the Department of Education to develop and administer a grant program to match available federal and private funds that promote the development of early childhood literacy and make early literacy a standard part of pediatric primary care through **childhood literacy programs in health care settings** (Sec. 30, effective July 1, 2007).
- Establishes a new enhancement grant program for **youth service bureaus** and allows new applicants to be eligible for previously existing youth service bureau grants if they meet certain conditions (Secs. 35 and 36, effective July 1, 2007).

- **Priority School District Grants:**

1. Provides that no town receiving a priority school district grant shall receive a grant that is in an amount that is less than \$150 per pupil (Sec. 7, effective July 1, 2007).
 2. Specifies how the Department of Education is to allocate and distribute priority school district funds for the 2007-08 and 2008-09 fiscal years (Sec. 51, effective July 1, 2007).
- Provides that **grants** for the 2007-08 and 2008-09 fiscal years for non-public school health services, transportation, adult education, bilingual education, regional educational service centers (RESCs), and RESC leases be **reduced proportionately** to stay within the available appropriations (Secs. 1 to 6, inclusive, and 8, effective July 1, 2007).
 - Requires that the **notice of a formal hearing for an expulsion** include information concerning (1) **legal services** provided free of charge or at a reduced rate that are available locally, and (2) how to access such services (Sec. 49, effective July 1, 2007).
 - Enacts special provisions for **individual school construction projects** and amends a school construction provision in P.A. 07-249, below, that was enacted for a particular town (Secs. 22, 23, 52 and 57 to 59, inclusive, effective June 26, 2007).

P.A. 07-4, June Special Session, AN ACT IMPLEMENTING THE PROVISIONS OF THE BUDGET CONCERNING GENERAL GOVERNMENT.

- Establishes new **emissions standards for certain full-sized school buses** effective September 1, 2010, and a program administered by the Commissioner of Environmental Protection to (1) provide grants to municipalities and boards of education to reimburse them for the cost of retrofitting full-sized school buses that are projected to be in service on or after September 1, 2010, (2) develop an outreach plan and materials to educate municipalities, boards of education and bus companies about the new standards, and (3) assist municipalities, boards of education and bus companies in retrofitting their full-sized school buses (Secs. 16 to 19, effective July 1, 2007).
- Requires the Institute for Sustainable Energy to (1) compile and distribute educational materials regarding biodiesel to municipalities, local boards of education and private commercial entities to educate future consumers, and (2) establish and administer a **Connecticut biodiesel link program** to establish a database of schools, restaurants, institutional cafeterias and other institutions and businesses in the state that produce waste vegetable oil or other comparable food product suitable for conversion to biodiesel (Sec. 59, effective October 1, 2007).
- Provides that the Governor shall proclaim the month of May to be **Woman-Owned Business Month** to honor the contribution that women-owned businesses make to the state (Sec. 67, effective June 29, 2007).

- Raises the **delinquency age from 16 to 18** beginning January 1, 2010, repeals provisions concerning youths in crisis, and creates the **Juvenile Jurisdiction Policy and Operations Coordinating Council**, which includes the Commissioner of Education, or a designee, to monitor the implementation of new and modified programs, procedures, and court operations associated with raising the delinquency age (Secs. 73 to 85, inclusive, and 123, effective January 1, 2010, and Sec. 88, effective June 29, 2007).
- Establishes a division of **autism spectrum services** within the Department of Mental Retardation (Secs. 109 to 114, inclusive, effective June 29, 2007).
- Specifies that each local and regional board of education must (1) require each pupil enrolled in the schools under its jurisdiction to annually report whether the **pupil has health insurance** and (2) provide, to the parent or guardian of each pupil identified as uninsured, information on state-sponsored health insurance programs, which information will be provided to boards of education by the Department of Social Services (Sec. 119, effective July 1, 2007, amending Sec. 24 of P.A. 07-2, JSS).

2007 REGULAR SESSION PUBLIC ACTS

P.A. 07-20, AN ACT CONCERNING THE CONNECTICUT CAREER CERTIFICATE PROGRAM.

- Updates the **Connecticut Career Certificate Program** statutes to reflect current practice and make them consistent with federal law, which includes deleting obsolete provisions required under the expired federal School-to-Work Opportunities Act of 1994 (Secs. 1 to 3, inclusive, effective July 1, 2007).

P.A. 07-30, AN ACT CONCERNING VISITING INTERNATIONAL TEACHER PERMITS.

- Provides for the issuance of an **international teacher permit in a subject shortage area** to a teacher who holds a J-1 visa issued by the United States Department of State and is in the state to teach. Among the requirements to be issued such a permit, the person must (1) be in the state to teach in accordance with a memorandum of understanding between Connecticut and the country from which the teacher is entering or as part of the Exchange Visitor Program administered by the United States Department of State Teacher Exchange Branch, and (2) have achieved a level of oral proficiency in English as determined by an examination approved by the Commissioner of Education. These permits are valid for one year and may be renewed for a period of up to one year, but not more than twice in the two years after the initial issuance (Sec. 1, effective July 1, 2007).

P.A. 07-38, AN ACT CONCERNING UNIFIED SCHOOL DISTRICT #1 EDUCATION CREDIT.

- Requires that when a **student transfers from the Department of Correction's Unified School District #1** (USD #1) and enrolls in a new school district, the new

school district must provide written notification of such enrollment to USD #1 not later than ten days after the date of enrollment. For districts enrolling students from other school districts, there is a requirement still in place that when the student enrolls in the new district, the new district must provide written notification of such enrollment to the school district in which the student previously attended school, but there is no deadline for doing this (Sec. 1, effective July 1, 2007).

P.A. 07-40, AN ACT CONCERNING THE ADVISORY COMMITTEE ON CONNECTICUT'S TECHNICAL HIGH SCHOOLS.

- Amends the membership and responsibilities of the **state-wide advisory committee concerning the Connecticut Technical High Schools** to (1) increase the number of members from 12 to 19, (2) require that the 10 appointed members represent business, (3) broaden the duties of the committee, and (4) specify that the committee shall meet at least semiannually (Sec. 1, effective July 1, 2007).

P.A. 07-58, AN ACT CONCERNING HEALTH ASSESSMENTS FOR ADOLESCENTS.

- Changes the **timing of the required health assessments** for high school students so that effective July 1, 2008, students must have a health assessment in either grade 9 or 10. Previously, they had to have these assessments in either grade 10 or 11. This act does not change the requirement that students must have a health assessment in either grade six or seven (Sec. 1, effective July 1, 2008).

P.A. 07-62, AN ACT CONCERNING THE DEPRIVATION OF RIGHTS ON ACCOUNT OF SEXUAL ORIENTATION.

- Deems it a **discriminatory practice** to deprive any person of the rights, privileges or immunities, secured or protected by the Constitution or laws of Connecticut or of the United States, on account of **sexual orientation** and thereby gives the Connecticut Commission on Human Rights and Opportunities jurisdiction over complaints of discrimination by public school students on the basis of sexual orientation (Sec. 1, effective October 1, 2007).

P.A.07-66, AN ACT CONCERNING IN-SCHOOL SUSPENSIONS.

- Effective July 1, 2008, increases the maximum **length of an in-school suspension** from five to ten consecutive school days (Sec. 1, effective July 1, 2008).
- Requires that effective July 1, 2008, **suspensions must be in-school suspensions** unless the school administration determines that the pupil being suspended poses such a danger to persons or property or such a disruption of the educational process that the pupil must be excluded from school during the period of suspension (Sec. 2, effective July 1, 2008).

P. A. 07-87, AN ACT CONCERNING SCHOOL CONSTRUCTION BOND MATURITY.

- Allows municipalities and regional school districts to issue **bonds** with a maximum term of 30 rather than 20 years **for school construction projects** for which the General Assembly authorized grant commitments on or after July 1, 1996 (Secs. 1 and 3, effective July 1, 2007).
- Makes conforming changes concerning annual repayments of any municipal or regional school district **bond anticipation notes** issued in conjunction with 30-year school construction project bonds (Secs. 2 and 4, effective July 1, 2007).
- Amends regional school district provisions concerning the issuance of **refunding bonds** (Sec. 5, effective July 1, 2007).

P.A. 07-114, AN ACT CONCERNING THE APPOINTMENT OF THE COMMISSIONER OF EDUCATION.

- Changes the **process for appointing the Commissioner of Education** by requiring that the State Board of Education recommend the appointment of a commissioner to the Governor who then makes the appointment, subject to the advice and consent of the General Assembly in accordance with the nomination and approval process for state department heads. Formerly, the State Board appointed the commissioner (Secs. 1 and 2, effective October 1, 2007).

P.A. 07-122, AN ACT CONCERNING SUSPENSIONS AND EXPULSIONS BY LOCAL AND REGIONAL BOARDS OF EDUCATION.

- Amends the school discipline statutes to specify that:
 1. **Suspension and expulsion periods** may be **shortened or waived** when certain conditions, including the successful completion of an administration- or board-specified program, are met;
 2. If a suspension or expulsion period is shortened or waived in accordance with these new provisions, the notice of the suspension or expulsion and the conduct for which the pupil was suspended or expelled must be expunged from the **pupil's cumulative educational record** under certain conditions; and
 3. **Administration- or board-specified programs** specified in these new provisions, above, shall not require the pupil or the parent or guardian of the pupil to pay for participation in the program (Secs. 1 and 2, effective July 1, 2007).

P.A. 07-138, AN ACT CONCERNING DEMOCRACY EDUCATION IN ELEMENTARY SCHOOLS.

- Requires public and private elementary schools to include in their fourth or fifth grade curriculum a **program on democracy** in which students engage in a participatory manner in learning about all branches of government (Sec. 1, effective July 1, 2007).

P.A. 07-147, AN ACT CONCERNING RESTRAINTS AND SECLUSION IN PUBLIC SCHOOLS.

- Expands statutes concerning the **physical restraint and seclusion of children** in certain institutions and facilities to include the physical restraint and seclusion of children who (A) require special education and are receiving special education from a local or regional board of education, or (B) are being evaluated for eligibility for special education and awaiting a determination and includes, but is not limited to, the addition of provisions specifying that:
 1. The State Board of Education must adopt **regulations** concerning the use of physical restraint and seclusion in schools;
 2. Local and regional boards of education must (A) **notify the parent or guardian** of each incident in which a child provided special education is placed in physical restraint or seclusion, (B) record each instance of the use of physical restraint or seclusion and the emergency that necessitated its use, and (C) include this information about the use of physical restraint or seclusion in an annual compilation on the use of restraint and seclusion;
 3. If the use of physical restraint or seclusion results in **physical injury**, boards of education may report the incident to the State Board of Education, which shall report any incidence of serious injury or death to the Office of Protection and Advocacy for Persons with Disabilities and the Office of the Child Advocate; and
 4. **At initial planning and placement team meetings**, boards of education must provide the parent, guardian, surrogate parent or pupil with information about the laws and regulations concerning physical restraint and seclusion in schools (Secs. 1 to 5, inclusive, effective October 1, 2007).

P.A. 07-157, AN ACT CONCERNING PROFESSIONAL LICENSES OF MEMBERS OF THE UNITED STATES ARMED FORCES AND THE CONNECTICUT NATIONAL GUARD.

- Specifies the conditions under which the State Board of Education must **renew a certificate, authorization or permit** issued by the State Board **that expires while the individual is on active duty in the armed forces** of the United States or is a member of the National Guard when ordered out by the Governor for military service (Sec. 3, effective July 1, 2007).

P.A. 07-168, AN ACT BANNING PESTICIDE USE ON SCHOOL GROUNDS.

- Amends the statutory provisions concerning the **application of pesticides on school grounds** by:
 1. Expanding the ban on applying **lawn care pesticides** to public and private schools with students in grades eight or lower. Formerly, it applied to public and private elementary school grounds;
 2. Extending from July 1, 2008, to July 1, 2009, an **exemption** for lawn care pesticides applied on the playing fields and playgrounds of these schools pursuant to certain integrated pest management plans; and
 3. Specifying **penalties** for noncompliance with the laws concerning the application of pesticides in school buildings or on school grounds, including, but not limited to, the establishment of a registry of parents and school staff wanting prior notice of pesticide applications, and making the Department of Environmental Protection responsible for administering and enforcing these laws (Secs. 1 to 5, inclusive, effective October 1, 2007).

(For further information about this public act, please contact the Bradford Robinson of the Department of Environmental Protection at (860) 424-3324 or Bradford.robinson@po.state.ct.us.)

P.A. 07-190, AN ACT CONCERNING TEXTBOOK LOANS.

- Expands the provisions allowing **boards of education to loan, free of charge, textbooks to students residing in and attending nonpublic schools** in the school district. Formerly, the loans were at the request of the student or the parent or guardian of a student and were limited to textbooks in use in the public schools in the district. Under this act, (1) the administrator of a nonpublic school in the district may also make a request for textbooks on behalf of a student, (2) the textbooks loaned must be nonreligious, and (3) the textbooks loaned do not have to be currently in use in the public schools but must be available to the board of education from a book distributor used by that board (Sec. 1, effective July 1, 2007).

P.A. 07-208, AN ACT CONCERNING SECURITY ASSESSMENTS AND ASSISTANCE FOR SCHOOLS AND EMERGENCY RESPONSE PLANS FOR INSTITUTIONS OF HIGHER EDUCATION.

- Provides that the Department of Education shall not approve a school building project plan if in the case of a project for new construction, extension, major alteration, renovation or replacement involving a school entrance, the plans do not provide for a **security infrastructure for such entrance**. This provision applies to projects included in the priority lists submitted to the General Assembly for approval on or after July 1, 2008 (Sec. 1, effective July 1, 2007).

- Establishes a **school security competitive grant program** to be administered, within available appropriations, by the Department of Emergency Management and Homeland Security. These grants are to reimburse towns for certain school security expenses incurred on and after July 5, 2007, e.g., expenses for the (1) development or improvement of security infrastructure such as the installation of surveillance cameras and entry door buzzer systems, (2) purchase of portable entrance security devices, and (3) training of school personnel in the operation and maintenance of the security infrastructure of school entrances (Sec. 2, effective July 5, 2007).

(For further information about this public act, please contact Rich Zaccagnino of the Department of Emergency Management and Homeland Security. He can be reached at 860-256-0914 or rich.zaccagnino@po.state.ct.us.)

P.A. 07-224, AN ACT CONCERNING OPERATOR'S LICENSES BEARING A SCHOOL BUS ENDORSEMENT.

- Makes numerous changes to the motor vehicle statutes concerning (1) the **qualifications of individuals who are licensed to operate school buses** and school transportation vehicles, and (2) the **responsibilities of carriers** that employ individuals who operate school buses and school transportation vehicles (Secs. 1 to 5, inclusive, effective July 1, 2007).
- Specifies that each **school bus** shall have conspicuously **painted on the rear and sides of such vehicle**, in black lettering of a size to be determined by the Commissioner of Motor Vehicles, the name of the school bus company, the school bus company's telephone number and the school bus number (Sec. 6, effective October 1, 2007).

P. A. 07-236, AN ACT EXPANDING CONNECTICUT'S FILM INDUSTRY.

- Provides that the Office of Workforce Competitiveness, in consultation with the Commissioner of Education and others, is to establish a program to develop a trained **workforce for the film industry** in the state. The program is to include an unpaid intern training program for high school and college students, a production assistant training program and a workforce training program to include classroom training, on-set training and a mentor program (Sec. 6, effective July 1, 2007).

P.A. 07-241, AN ACT CONCERNING MINOR CHANGES TO THE EDUCATION STATUTES.

- Allows boards of education to require high schools that host college preparation or **college** admission process **informational forums** to which parents and guardians of students are invited to provide such parents and guardians with information about the optional nature of some **surveys and questions that accompany college admission examinations**. The information provided to parents and guardians must include a warning that the release of personal identifying information may increase a student's vulnerability to identity theft (Sec. 2, effective July 1, 2007).

- Allows directors of **school readiness programs and before- or after-school programs**, which are exempt from Department of Public Health licensure, to **administer medications** to children enrolled in those programs in accordance with regulations to be adopted by the State Board of Education (Sec. 3, effective July 10, 2007).
- Requires the State Board of Education to adopt regulations not later than June 1, 2008, to provide standards for the **certification of marital and family therapists** employed by boards of education (Sec. 7, effective July 1, 2007).
- Allows the Commissioner of Education to grant a waiver of **certification** to a person who the commissioner deems to be exceptionally qualified for the position of **superintendent** if the person meets specified criteria (Secs. 4 and 5, effective July 1, 2007).
- Makes **technical changes** to the definitions of “mastery percentage” and “mastery data of record” as used in the education cost sharing (ECS) formula (Sec. 1, effective July 1, 2007).

P. A. 07-242, AN ACT CONCERNING ELECTRICITY AND ENERGY EFFICIENCY.

- Provides that (1) new construction of a facility that is projected to cost five million dollars, or more, of which two million dollars or more is state funding, and is authorized by the General Assembly pursuant to the **state school construction statutes** on or after January 1, 2009, and (2) the renovation of a public school facility that is projected to cost two million dollars or more, of which two million dollars or more is state funding, and is authorized by the General Assembly on or after January 1, 2009, shall comply with regulations adopted by the Office of Policy and Management that establish building construction standards that are consistent with or exceed the silver building rating of the **Leadership in Energy and Environmental Design's rating system** for new commercial construction and major renovation projects, including specified energy standards, or an equivalent standard, unless exempted by the Office of Policy and Management upon a finding that the cost of compliance significantly outweighs the benefits (Sec. 10, effective January 1, 2008, amended by Sec. 15 of P.A. 07-249, below).
- Requires the Department of Public Utility Control to establish a **state-wide energy efficiency and outreach marketing campaign** to provide targeted information to a variety of consumers including, but not limited to, schools (Sec. 87, effective July 1, 2007).
- Requires Connecticut Innovations, Inc., in consultation with the Department of Education and others, to establish a **municipal renewable energy and efficient energy grant program**. Under the program municipalities will be eligible for grants for the purchase of renewable energy sources and energy-efficient generation sources.

Priority will be given to applications for grants for high schools and disaster relief centers (Sec. 91, effective June 4, 2007).

P.A. 07-249, AN ACT CONCERNING AUTHORIZATION OF STATE GRANT COMMITMENTS FOR SCHOOL BUILDING PROJECTS AND CHANGES TO THE STATUTES CONCERNING SCHOOL BUILDING PROJECTS.

- 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 enacts special provisions for individual school construction projects (Secs. 1, 8 to 14, inclusive, 16 to 24, inclusive, 26 to 32, inclusive, and 34 to 37, inclusive, effective July 10, 2007).
- Narrows the definition of a “**renovation**” **project** for purposes of school construction reimbursement (Sec. 2, effective July 1, 2007).
- For all school construction projects authorized on or after July 1, 2007, makes **attorneys’ fees and court costs** related to litigation eligible for school construction grant assistance only if the grant applicant is the prevailing party in the litigation (Sec. 3, effective July 1, 2007).
- Limits school construction grant reimbursement for **remediation costs** of a site (Sec. 4, effective July 1, 2007).
- Provides that **Connecticut Technical High School construction projects** are not subject to the limitation that projects may not appear more than twice on the list submitted annually to the General Assembly of authorized projects which have changed in cost (Sec. 5, effective July 1, 2007).
- Allows the Commissioner of Education to approve applications for grants for the **Connecticut Technical High Schools** for the same types of **emergency and code violation projects** as he can approve for other schools (Sec. 6, effective July 1, 2007).
- Requires **charter schools** that receive state **grants** of \$250,000 or more for **capital expenses** to repay the unamortized part of the grant if the charter school abandons, sells, leases, demolishes or otherwise directs the use of the school building which benefited from the grant award (Sec. 7, effective July 1, 2007).
- Amends provisions concerning **exemptions from compliance with new environmental and energy building standards** for certain school construction projects (Sec. 15, effective January 1, 2008, amending Sec. 10 of P.A. 07-242, above.)
- Adds **orders and contracts for architectural or construction management services** to the types of orders and contracts for school building construction receiving state assistance that must be awarded to the lowest responsible qualified bidder only after a public invitation to bid (Sec. 25, effective July 1, 2007).

P.A. 07-252, AN ACT CONCERNING REVISIONS TO STATUTES RELATING TO THE DEPARTMENTS OF PUBLIC HEALTH AND SOCIAL SERVICES AND TOWN CLERKS.

- Adds licensed **optometrists** to the types of medical professionals who may provide written orders for medication that school nurses and certain other school professionals may administer (Sec. 36, effective July 1, 2007).
- Permits sellers at Department of Agriculture-certified farmers' markets to sell fresh produce to **food service establishments** and requires food service establishments to ask for, and the farmer or person selling the produce to provide, an invoice indicating the source of the produce and the date it was sold (Sec. 59, effective July 12, 2007).

P.A. 07-253, AN ACT CONCERNING CERTIFIED COMPETITIVE VIDEO SERVICE.

- Requires certified competitive video service providers under certain conditions to provide certain entities, including school systems, that are in a part of the provider's franchise area where service is available, with one **outlet for basic video service at no charge** if the entity participates in educational or public access programming offered throughout the company's franchise area (Sec. 11, effective October 1, 2007).
- Requires under certain conditions that companies issued a certificate of cable franchise authority must provide certain entities, including school systems, that are in a part of the franchise area where service is available, with one **outlet for basic community antenna television service or video service at no charge** if the entity participates in educational or public access programming offered throughout the company's franchise area (Sec. 22, effective October 1, 2007).
- Establishes a **public, educational and governmental programming and education technology investment account** within the state's general fund. The moneys in the account are to be expended by the Department of Public Utility Control and 50% of these moneys are to be available to boards of education and other education entities for education technology initiatives (Secs. 33 and 43, effective July 1, 2007).

Part Two
OTHER 2007 PUBLIC ACTS OF INTEREST

P.A. 07-15, AN ACT CONCERNING CERTIFICATION STANDARDS FOR PERSONS PROVIDING INTERPRETER SERVICES.

- Amends the law governing the qualifications of individuals who provide **interpreting services to deaf and hearing-impaired people** and must be registered with the Commission on the Deaf and Hearing Impaired (Sec. 1, effective October 1, 2007).

P.A. 07-36, AN ACT CONCERNING GAMING PRODUCTS AND RAFFLE PRIZES.

- Establishes rules by which organizations that are qualified to conduct bazaars or raffles under Title 7 of the General Statutes may conduct a **tuition raffle** in which the

prize is payment of the tuition or part of the tuition at an accredited private or parochial school or public or independent institution of higher education for a student recipient designated by the raffle winner (Sec. 9, effective October 1, 2007).

P.A. 07-73, AN ACT RENAMING THE DEPARTMENT OF MENTAL RETARDATION.

- Renames the Department of Mental Retardation as the **Department of Developmental Services** (Secs. 1 and 2, effective October 1, 2007).

P.A. 07-126, AN ACT CONCERNING THE STATE EDUCATION RESOURCE CENTER.

- Extends membership in the Teachers' Retirement System to staff members of the **State Education Resource Center** who are employed in a professional capacity while possessing a certificate or permit issued by the State Board of Education and allows such individuals to purchase additional credited service in the system (Secs. 1 to 3, inclusive, effective July 1, 2007).

P.A. 07-134, AN ACT CONCERNING WHEELCHAIR TRANSFER SAFETY.

- Amends statutes relating to the Departments of Motor Vehicles, Transportation and Public Health to impose new requirements concerning **devices** that must be used to **secure individuals in wheelchairs** while transferring such individuals in and out of certain vehicles (Secs. 1 to 6, inclusive, effective October 1, 2007).

P.A. 07-186, AN ACT CONCERNING ADEQUATE FUNDING OF THE TEACHERS' RETIREMENT SYSTEM.

- Makes changes to the **funding** of the Teachers' Retirement System and to provisions concerning certain member **benefits** (Secs. 1 to 11, inclusive, effective July 1, 2007).

P.A. 07-189, AN ACT CONCERNING THE COLLECTION AND RECYCLING OF COVERED ELECTRONIC DEVICES.

- Enacts new provisions under the jurisdiction of the Department of Environmental Protection (DEP) concerning the **collection and recycling of computers, computer monitors, televisions** and other similar or peripheral electronic devices sold to consumers and specified in DEP regulations (Secs. 1 to 13, inclusive, effective October 1, 2007).

P.A. 07-202, AN ACT CONCERNING THE PAY SCALE OF THE STATE POLICE, THE PREQUALIFICATION PROGRAM ADMINISTERED BY THE DEPARTMENT OF ADMINISTRATIVE SERVICES AND CERTAIN REVISIONS TO THE FREEDOM OF INFORMATION ACT.

- Makes numerous changes to the laws regarding the **prequalification of contractors** and substantial subcontractors who work on certain state and municipal building

projects (Secs. 2 and 3, inclusive, 5, and 7 to 10, inclusive, effective July 10, 2007; Secs. 4 and 6, effective October 1, 2007).

- Amends provisions of the state's **Freedom of Information Act** (Secs. 11 and 13, effective July 10, 2007; Sec. 12, effective October 1, 2007).

P.A. 07-213, AN ACT CONCERNING ADMINISTRATIVE PROCEDURES OF THE DEPARTMENT OF PUBLIC WORKS, AUDITING OF LARGE CONSTRUCTION CONTRACTS, ENVIRONMENTAL REVIEW OF CERTAIN LAND TRANSFERS, GRANT PAYMENTS TO MUNICIPALITIES, ADVERTISING ON STATE BUILDINGS AND CERTAIN EXEMPTIONS TO.

- Provides that nothing in the state's **Freedom of Information Act** shall be construed to require the disclosure of responses to any request for proposals or bid solicitation issued by a public agency or any record or file made by a public agency in connection with the contract award process, until such contract is executed or negotiations for the award of such contract have ended, whichever occurs earlier, provided the chief executive officer of such public agency certifies that the public interest in the disclosure of such responses, record or file is outweighed by the public interest in the confidentiality of such responses, record or file (Sec. 22, effective October 1, 2007).

Attachment A

**TABLE OF AMENDED AND REPEALED STATUTES
AND PUBLIC ACTS FOR 2007**

Statute	Public Act
1-205	07-202, S. 13
1-206(b)(1)	07-202, S. 11
1-210	07-202, S. 12
1-210(b)	07-213, S. 22
4-5	07-114, S. 2
4a-63(a)	07-202, S. 2
4a-100	07-202, S. 3
	07-202, S. 4
4a-101(c)	07-202, S. 5
	07-202, S. 6
4b-91	07-202, S. 7
4b-92	07-202, S. 8
7-378a	07-87, S. 2
7-380c	07-87, S. 1
9-612(g)(2)	07-202, S. 9
10-3a (a)	07-114, S. 1
10-14n (h)	June Sp. Sess. P.A. 07-3, S. 18
10-15b (c)	07-217, S. 41
10-16n (a)	June Sp. Sess. P.A. 07-3, S. 48
10-16p (e)(3)	June Sp. Sess. P.A. 07-3, S. 17
10-16s	June Sp. Sess. P.A. 07-3, S. 19
10-16x	June Sp. Sess. P.A. 07-3, S. 26
10-17g	June Sp. Sess. P.A. 07-3, S. 5
10-18 (a)	07-138, S. 1
10-19m (c)	June Sp. Sess. P.A. 07-4, S. 78
10-19o (a)	June Sp. Sess. P.A. 07-3, S. 35
10-20a	07-20, S. 1
10-20b (c)	07-20, S. 2
10-20d	07-20, S. 3
10-29a (52) (added)	June Sp. Sess. P.A. 07-4, S. 67
10-56 (a)	07-87, S. 3
10-56 (c)	07-87, S. 4
10-60a	07-87, S. 5
10-65 (a), (b)	June Sp. Sess. P.A. 07-3, S. 24
10-66j (f)	June Sp. Sess. P.A. 07-3, S. 8
10-66bb (d)	June Sp. Sess. P.A. 07-3, S. 12

Attachment A

**TABLE OF AMENDED AND REPEALED STATUTES
AND PUBLIC ACTS FOR 2007**

Statute	Public Act
10-66cc (b)	June Sp. Sess. P.A. 07-3, S. 13
10-66ee (c)	June Sp. Sess. P.A. 07-3, S. 11
10-66ee (k) (added)	June Sp. Sess. P.A. 07-3, S. 16
10-66hh	07-249, S. 7
10-71 (d)	June Sp. Sess. P.A. 07-3, S. 3
10-76b (a)	07-147, S. 4
10-76d (a)(8)	07-147, S. 5
10-95h	07-40, S. 1
10-145 (a)	07-241, S. 5
10-146b	07-157, S. 3
10-153j (c)	07-217, S. 42
10-156	07-217, S. 43
10-157	07-241, S. 4
10-183b (20)	07-126, S. 1
10-183b (26)	07-126, S. 2
10-183c	07-186, S. 9
10-183e (b), (c)	07-126, S. 3
10-183g (l)	07-186, S. 10
10-183g (m), (n) Rd.	07-186, S. 14
10-183r	07-186, S. 11
10-183jj (a)	07-217, S. 44
10-206 (c)	07-58, S. 1
10-212a	07-252, S. 36
10-212a (a)(3) (added)	07-241, S. 3
10-217a (i) (added)	June Sp. Sess. P.A. 07-3, S. 1
10-220h	07-38, S. 1
10-223e (c)--(f) (added)	June Sp. Sess. P.A. 07-3, S. 32
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10-233c	07-122, S. 1
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10-233d (a)	June Sp. Sess. P.A. 07-3, S. 49
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10-264h (a)	07-249, S. 21
10-264l (c)	June Sp. Sess. P.A. 07-3, S. 40
10-264l (j), (k) (added)	June Sp. Sess. P.A. 07-3, S. 42
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10-265f (i) (added)	June Sp. Sess. P.A. 07-3, S. 44
10-265j	June Sp. Sess. P.A. 07-3, S. 46
10-266m (a)(4)	June Sp. Sess. P.A. 07-3, S. 4
10-266p (h), (i) (added)	June Sp. Sess. P.A. 07-3, S. 7
10-266aa (f), (g)	June Sp. Sess. P.A. 07-3, S. 9
10-266aa (k)	June Sp. Sess. P.A. 07-3, S. 10
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10-283 (a)(2)	07-249, S. 5
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10-286d (c) (added)	07-249, S. 4
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