

Series: 2008-09

Circular Letter: C-3

TO: Superintendents of Schools

FROM: Mark K. McQuillan, Commissioner of Education

DATE: August 19, 2008

SUBJECT: Summary of Legislation Enacted in the 2008 Regular Session of the Connecticut General Assembly

On June 18, 2008, I provided you with a circular letter highlighting the major education legislation passed during the 2008 Regular Session of the Connecticut General Assembly (C-18). Now, for your use, is a more comprehensive summary of all of the public and special acts that appear to be of general applicability and interest to school districts.

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

- While comprehensive, this document does not describe every 2008 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.sde.ct.gov/sde/cwp/view.asp?a=2683&q=322226>.
- 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.
- "S.A." means Special Act.
- "June 11 Sp. Sess." means the June 11, 2008, Special Session.
- "2008 Supp." means the 2008 Supplement to the Connecticut General Statutes.

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that lists the sections of the Connecticut General Statutes and public and special acts which have been amended or repealed by the summarized legislation (Attachment A).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. Thank you.

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*“Sheff” means the 2008 stipulation and order for Milo Sheff, et al. v. William A. O’Neill, et al.

Part One
2008 PUBLIC AND SPECIAL ACTS PRIMARILY CONCERNING EDUCATION LAWS

Public Act 08-50, [AN ACT CONCERNING STATE CHARTER SCHOOLS.](#)

- Makes the laws concerning the **transfers of student records** apply to state charter schools (Sec. 1, effective July 1, 2008).
- Specifies that the membership requirements for **charter school governing councils** must be met at all times and not just when a charter school application is being made or renewed (Secs. 2 and 3, effective July 1, 2008).

Public Act 08-57, [AN ACT CONCERNING THE INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN AND GRADUATE DEGREES FOR MEMBERS OF THE CONNECTICUT NATIONAL GUARD.](#)

- Enacts and commits Connecticut to the terms of the **Interstate Compact on Educational Opportunity for Military Children**, which is to remove barriers to educational success imposed on such children because of their parents' frequent moves and deployment. The terms of this compact include, but are not limited to, the establishment of uniform standards for schools and school districts to use to facilitate placement, enrollment, graduation, data collection, and other educational decisions involving children in kindergarten through grade 12 who are in the households of certain military families. The compact (1) takes effect when 10 or more states have enacted it, (2) is binding on all member states, and (3) supersedes conflicting laws in member states (Section 1, effective May 12, 2008).

Public Act 08-62, [AN ACT CREATING AN EXEMPTION FROM PERMIT REQUIREMENTS FOR PARENT TEACHER ASSOCIATION CONDUCTED BINGO.](#)

- Allows **parent teacher associations** to operate and conduct games of **bingo** for the amusement and recreation of such associations' members and guests without a permit from the state's Division of Special Revenue under certain conditions and in accordance with state regulations that the division must adopt (Sec. 1, effective May 12, 2008).

Public Act 08-85, [AN ACT CONCERNING THE ACCREDITATION OF SCHOOL READINESS PROGRAMS.](#)

- Allows the Commissioner of Education to grant an **extension of time** for a school readiness program to become **accredited or reaccredited** and still be eligible to receive state school readiness grants provided the program and the Department of Education meet certain conditions (Secs. 1 and 2, effective July 1, 2008). *(Note: This provision was amended by Sec. 5 of P.A. 08-170, below.)*

Public Act 08-86, [AN ACT CONCERNING FAMILIES WITH SERVICE NEEDS.](#)

- Extends existing confidentiality provisions concerning mental health screening and assessments in juvenile matters to information obtained during the performance of an **educational evaluation** when a family with service needs (FWSN) petition alleges that a child is from a FWSN because the child has been habitually truant. Under this law, this information (1) can be used only for planning and treatment, (2) is otherwise confidential, (3) must be retained in the files of the entity performing the evaluation, (4) can be further disclosed only for specified reasons and (5) is not subject to subpoena or other court process for use in any other proceeding or for any other purpose (Sec. 4, effective October 1, 2008).
- Makes a number of other **changes** to the laws governing children who are from **families with service needs** (Secs. 1 to 3, inclusive, and 5, effective October 1, 2008; Sec. 6, effective May 27, 2008).

Public Act 08-107, [AN ACT CONCERNING THE BEST PROGRAM.](#)

- Eliminates the Department of Education's **Beginning Educator Support and Training** (BEST) program as of July 1, 2009 (Sec. 1, effective July 1, 2009).
- Eliminates the requirement to complete a **video component** as part of the BEST assessment program as of July 1, 2008 (Sec. 2, effective July 1, 2008).
- Establishes a 21-member **task force** to develop a plan to replace the BEST program with a **mentor assistance program** starting with the 2009-2010 school year (Sec. 3, effective June 2, 2008).

Public Act 08-108, [AN ACT CONCERNING MINORS IN THE WORKPLACE.](#)

- Restores the statutory provision that allows a **minor** who has reached the age of fifteen to be employed or permitted to **work in any mercantile establishment** as a bagger, cashier or stock clerk provided the employment meets certain workday and hour restrictions (Sec. 1, effective June 2, 2008).
- Retroactively makes lawful the **employment of 15-year olds** in such establishments between September 30, 2007, (the date the prior law expired) and June 2, 2008, (the date the new law became effective), if the employer met the prior law's workday and hour restrictions (Sec. 2, effective June 2, 2008).

Public Act 08-138, [AN ACT CONCERNING HIGH SCHOOL CREDIT FOR PRIVATE WORLD LANGUAGE COURSES AND FOR OTHER SUBJECT AREAS.](#)

- Allows boards of education to grant students credit toward meeting **high school graduation requirements** if the student:
 1. Completes a **world language course** offered privately through a nonprofit provider and achieves a passing grade on an examination prescribed, within available

appropriations, by the Commissioner of Education, provided such credits do not exceed four; or

2. Achieves a passing grade on a **subject-area proficiency examination** approved, within available appropriations, by the commissioner regardless of the number of hours the student spent in a public school classroom learning the subject matter (Sec. 1, effective July 1, 2008).

Public Act 08-139, [AN ACT CONCERNING REGIONAL EDUCATIONAL SERVICE CENTERS.](#)

- Allows the Commissioner of Education, regardless of certain state procurement laws, to allocate funds to regional educational service centers (RESCs) to provide **professional development services, technical assistance and evaluation activities** to local and regional boards of education, state charter schools, the state's technical high school system, school readiness providers and other educational entities, as determined by the commissioner (Sec. 1, effective July 1, 2008).

Public Act 08-141, [AN ACT CONCERNING ON-LINE PROCUREMENT BY STATE AGENCIES, MUNICIPALITIES AND REGIONAL AND LOCAL SCHOOL DISTRICTS.](#)

- Allows certain contracting agencies to use a **reverse auction** to award contracts for goods or supplies if they determine that doing so will be advantageous to them and will ensure a competitive contract award. Under this act, "contracting agencies" are state agencies with statutory authority to award contracts for goods or supplies, political subdivisions of the state and school districts, and "reverse auction" means an on-line bidding process in which qualified bidders or proposers anonymously submit bids or proposals to provide goods or supplies pursuant to an invitation to bid or request for proposals (Sec. 1, effective June 5, 2008).
- Allows these contracting agencies to **contract with a third party** to prepare and manage any such reverse auction (Sec. 1, effective June 5, 2008).

Public Act 08-148, [AN ACT CONCERNING THE ROLE OF THE STATE BOARD OF EDUCATION IN THE TEACHER CERTIFICATION REVOCATION PROCESS.](#)

- Specifies that after the State Board of Education has made an initial determination, the Commissioner of Education shall make the final determination as to whether to uphold the **revocation of an educator's public school teaching credential** when the educator has been convicted of any of certain specified crimes and the credential has been deemed revoked (Sec. 1, effective July 1, 2008).

Public Act 08-152, [AN ACT CONCERNING AGRICULTURAL SCIENCE AND TECHNOLOGY EDUCATION.](#)

- Renames the state's regional vocational agriculture centers as "**regional agricultural science and technology education centers**" (Secs. 1 to 16, inclusive, effective July 1, 2008).

- Expands the **enrollment opportunities** that school districts that do not operate such centers must offer to students who want to attend a center in another district (Sec. 2, effective July 1, 2008).

(Note: P.A. 08-170, below, makes the same changes.)

Public Act 08-153, [AN ACT CONCERNING MINOR CHANGES TO THE EDUCATION STATUTES.](#)

- Pursuant to 2007 legislation, elementary schools are required 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. This act allows that requirement to be met by including such a program in the third grade, as well as the fourth or fifth grade (Sec. 3, effective July 1, 2008).
- **School district accountability:**
 1. This act permits the State Board of Education to require (A) **boards of education to undergo training** to improve their operational efficiency and effectiveness and to submit a plan as to how their effectiveness will be monitored and (B) **training and technical assistance for parents** (formerly the training and technical assistance was just for certain school staff members) as accountability actions the State Board may take to improve student performance to remove a school or district from the list of schools or districts designated as low achieving; and
 2. This act identifies which accountability actions taken by the State Board of Education are subject to the **Teacher Negotiation Act** (Sec. 4, effective July 1, 2008).
- Amends the membership of the state-wide **advisory committee for the technical high school system** so that smaller businesses are represented and the president pro tempore of the Senate appoints to the committee a technical high school teacher and a business representative, rather than two business representatives (Sec. 5, effective July 1, 2008).
- Requires each board of education to establish a **school district curriculum committee** to recommend, develop, review and approve all curricula for the school district (Sec. 6, effective July 1, 2008).
- Authorizes the State Board of Education to issue a **temporary ninety-day certificate** in the certification endorsement area of **early childhood education** to individuals who complete an alternate route to certification in this field and meet other conditions (Sec. 7, effective June 12, 2008).
- Specifies that "**the arts**," which must be taught as part of the required program of instruction in public schools, means any form of visual or performing arts, which may include, but not be limited to, dance, music, art and theater (Sec. 8, effective July 1, 2008).

- Makes **technical changes** to (1) resolve inconsistencies in the statutes concerning the bringing of a complaint against a board of education for failure or inability to implement the **state's educational interests**, (2) eliminate a duplicative provision concerning magnet school operating grants and (3) repeal an obsolete **commission on educational equity** (Secs. 1, 2 and 9, effective June 12, 2008).

Public Act 08-160, [AN ACT CONCERNING SCHOOL LEARNING ENVIRONMENT.](#)

- **In-school suspension:**

1. Extends the **implementation date** of the in-school suspension law enacted in 2007 to July 1, 2009, and amends that law to provide that in-school suspensions may be served in any school building under the jurisdiction of the board of education (Sec. 1, effective June 12, 2008; Sec. 2, effective July 1, 2008).
2. Requires the Commissioner of Education to issue **guidelines** not later than October 1, 2008, to assist boards of education in making the determination as to whether a suspension should be in-school or out-of-school (Sec. 3, effective June 12, 2008).

- **Bullying in schools:**

1. Specifies that boards of education must implement **bullying policies** that meet statutory criteria (Sec. 4, effective July 1, 2008).
2. Amends the requirements for what must be in board of education **bullying policies** to include, but not be limited to, the following:
 - A. Require teachers and other school staff to notify school administrators in writing if they witness acts of bullying or receive student reports of bullying. Formerly they had to notify administrators of these events, but did not have to do so in writing;
 - B. Require school administrators to investigate these written reports from teachers and other school staff. Formerly they were only required to investigate written reports of suspected bullying filed by parents and guardians;
 - C. Provide that no disciplinary action may be taken solely on the basis of an anonymous report;
 - D. Include prevention and intervention strategies, as defined in the act, for school staff to deal with bullying. For instance, such strategies may include, but are not limited to, implementation of positive behavioral interventions and supports, a school survey to determine the prevalence of bullying, etc. Formerly, the law required that only intervention strategies be included and they were not defined;

- E. Require each school to invite the parents or guardians of students who commit verified acts of bullying, and the parents or guardians of students against whom such acts were directed, to attend at least one meeting;
 - F. Require each school, within available appropriations, to report the number of verified acts of bullying to the Department of Education annually; and
 - G. Identify the appropriate school personnel responsible for taking a bullying report and investigating the complaint (Secs. 4 and 5, effective July 1, 2008).
3. Amends the **definition of “bullying”** so that it now refers to overt acts committed more than once against any student during the school year. Formerly, the acts had to be repeated against the same student over time (Sec. 4, effective July 1, 2008).
 4. Requires each board of education to (A) submit its **bullying policy** to the Department of Education by February 1, 2009, and (B) by July 1, 2009, ensure that the policy is included in the school district's **publication of the rules, procedures, and standards of conduct for schools** and in all student handbooks (Sec. 4, effective July 1, 2008).
 5. Requires (A) boards of education, except in certain circumstances, to include in their **in-service training** programs for educators information on the prevention of bullying and (B) **teacher preparation** programs to encourage students to complete coursework that includes bullying and suicide prevention (Secs. 6 and 8, effective July 1, 2009).
 6. Requires the **Department of Education**, within available appropriations, to (A) review and analyze board of education bullying policies, (B) examine the relationship between bullying, school climate and student outcomes, (C) document school districts' articulated needs for technical assistance and training related to safe learning and bullying, (D) collect information on the prevention and intervention strategies used by schools to reduce bullying, improve school climate and improve reporting outcomes, (E) develop model policies for the prevention of bullying, and (F) on or before February 1, 2010, to report to the General Assembly on the status of these efforts and any recommendations regarding additional activities or funding to prevent bullying in schools and improve school climate (Sec. 7, effective July 1, 2009).

Public Act 08-163, [AN ACT ESTABLISHING AN ADULT LITERACY BOARD.](#)

- Specifies that the Office of Workforce Competitiveness establish the **Adult Literacy Leadership Board** as a standing committee of the Connecticut Employment and Training Commission to review and advise the commission on workforce investment and adult literacy programs and services. The board is to consist of seven voting members and ten ex-officio nonvoting members, one of whom is the Commissioner of Education or a designee (Secs. 1 to 4, inclusive, effective July 1, 2008).

- Requires the Connecticut Employment and Training Commission to include information on the **status of adult literacy** in the state in its annual report card on programs that emphasize employment placement and report to the General Assembly on adult literacy annually (Secs. 5 to 7, inclusive, effective July 1, 2008).

Public Act 08-169, AN ACT CONCERNING AUTHORIZATION OF STATE GRANT COMMITMENTS FOR SCHOOL BUILDING PROJECTS, CHANGES TO THE STATUTES RELATING TO SCHOOL CONSTRUCTION, REGIONAL SCHOOL DISTRICTS AND MAGNET SCHOOLS, PROVIDING FUNDING FOR START-UP COSTS FOR MAGNET SCHOOLS AND THE DEVELOPMENT OF A PLAN FOR THE TEACHING OF CHILDREN WITH AUTISM

- 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, 4 to 13 inclusive, 15, 16, 18 to 22, inclusive, 25, 28, 32 and 33, effective June 12, 2008).
- Establishes a deadline for the submission of **change orders** and other change directives to the Department of Education in order to retain grant eligibility (Sec. 2, effective July 1, 2008).
- Modifies the **title reversion** provisions for **school construction projects** for which the state reimburses 100% of the eligible costs so that they apply to construction projects for which reimbursement is 95% or greater (Sec. 3, effective July 1, 2008).
- Provides for a process that school districts must follow in order to award orders and contracts for **architectural and construction management services** (Sec. 17, effective July 1, 2008).
- Amends provisions concerning the **addition or withdrawal of grades** from certain **regional school districts** which do not include all elementary and secondary grades (Secs. 23 and 24, effective July 1, 2008).
- Establishes a trigger for the **holding of referenda** following a recommendation concerning the addition or withdrawal of grades from a **regional school district** which does not include all elementary and secondary grades (Sec. 24, effective July 1, 2008).
- To assist the state in establishing interdistrict **magnet schools** to meet the goals of the 2008 stipulation and order for **Milo Sheff, et al. v. William A. O'Neill, et al.** (hereafter "**Sheff goals**"):
 1. Expands the **types of entities** that are eligible to receive school construction grants for interdistrict magnet schools to include the Boards of Trustees of the Community-Technical Colleges, the Connecticut State University System and the University of Connecticut, the board of governors (or equivalent) for an independent college or university, cooperative arrangements pursuant to C.G.S. Section 10-158a and other third-party, not-for-profit corporations approved by the Commissioner of Education (Secs. 26 and 27, effective July 1, 2008);

2. Amends several school construction **grant procedures** for magnet schools to meet the Sheff goals (Sec. 26, effective July 1, 2008); and
3. Authorizes, subject to Bond Commission approval, \$3M for grants for **capital start-up costs** for these new schools for buying portable classrooms, leasing space and purchasing equipment (Sec. 29, effective July 1, 2008).

(Note: There are additional provisions concerning the implementation of Sheff goals in P.A. 08-170, below.)

- Makes the Board of Trustees of the Community-Technical Colleges, on behalf of **Quinebaug Valley Community College**, eligible to receive interdistrict magnet school construction funding (Sec. 25, effective June 12, 2008, and Sec. 26, effective July 1, 2008).
- Increases the amount of **bonds** that the State Treasurer is authorized to issue for **school construction grants** (Sec. 30, effective July 1, 2008).
- Requires the development of recommendations for a **comprehensive state-wide plan** concerning methods of teaching children with **autism** and other developmental disabilities (Sec. 31, effective June 12, 2008). *(Note: S.A. 08-5 contains the same provisions, which are described in greater detail, below.)*

Public Act 08-170, [AN ACT CONCERNING VARIOUS EDUCATION GRANTS AND CHANGES TO THE STATUTES CONCERNING MAGNET SCHOOLS, VOCATIONAL AGRICULTURE CENTERS AND THE CERTIFICATION OF BILINGUAL EDUCATION TEACHERS.](#)

- Amends the **minimum budget requirement (MBR)** for certain regional school districts and, starting in FY 10, raises the minimum proportion of any annual increase in an education cost sharing (ECS) grant that a town must allocate to education spending (Sec. 1, effective July 1, 2008; Sec. 13, effective July 1, 2009).
- Based on a number of criteria, the statutes provide for each town a minimum **percentage of the ECS** increase that must be appropriated to the board of education. However, for any town whose **school district** is in its third year or more of being identified as **in need of improvement** and has failed to make adequate yearly progress in mathematics or reading at the whole district level, an additional 20% of the increase must also be allocated to the board. This public act provides that for FY 10 there is an additional requirement for those towns in need of improvement. That requirement is that at least 80% of the ECS increase must be allocated to the board of education (Sec. 13, effective July 1, 2009).
- Adjusts the **ECS phase-in**. Under existing law, increases in ECS grants to towns are being phased up to full funding based on the difference between each town's base aid (its FY 07 grant) and its fully-funded grant. This act reduces the FY 09 phase-in

percentage from 23.3% to 22.02% of the difference between each town's base aid and its fully-funded grant (Sec. 2, effective July 1, 2008).

- **School Readiness:**

1. Provides a new **formula** for distributing **school readiness grants** to **priority school districts** and increases the maximum per child amount paid by the state by 4% to \$8,346 (Secs. 4 and 5, effective July 1, 2008).
2. In addition to the appropriation for **competitive school readiness grants**, the Department of Education may allocate up to 2% of the school readiness appropriation for these competitive grants (Sec. 35, effective July 1, 2008).
3. Amends Section 2 of P.A. 08-85, above, to clarify that when there is an **extension of time** for a school readiness program to become **accredited or reaccredited**, the program must only be licensed by the Department of Public Health if it is required by the public health statutes to be licensed (Sec. 5, effective July 12, 2008).

- To assist the state in meeting the goals of the 2008 stipulation and order for **Milo Sheff, et al. v. William A. O'Neill, et al.** (hereafter "Sheff goals"):

1. Allows the Commissioner of Education to provide grants (A) for children in the Hartford **OPEN Choice** program to participate in preschool programs and (B) within available appropriations, for academic support for children in OPEN Choice programs that assist the state in meeting the Sheff goals (Sec. 6, effective July 1, 2008);
2. Expands the types of entities that are eligible for **interdistrict magnet school operating grants and transportation grants** for these schools to include the Boards of Trustees of the Community-Technical Colleges, the Connecticut State University System and the University of Connecticut, the board of governors (or equivalent) for an independent college or university and other third-party, not-for-profit corporations approved by the commissioner (Secs. 7 and 8, effective July 1, 2008);
3. Establishes **operating grant criteria** for magnet schools that will assist the state in meeting the Sheff goals (Secs. 7 and 14, effective July 1, 2008);
4. Amends the program that, within available appropriations, provides grants to regional educational service centers (RESCs) for **summer school programs** for students participating in magnet schools to (A) expand the types of programs eligible for grants to include those for **academic support** as well as for summer school, (B) limit grant-eligible programs to those that serve students attending Sheff magnets, and (C) expand the types of entities that can receive these grants to any of the entities authorized to operate Sheff magnets (Sec. 7, effective July 1, 2008);
5. Allows the commissioner, within available appropriations, to provide grants not to exceed \$75,000 for **start-up costs** associated with the development of new

interdistrict magnet school programs that assist the state in meeting the Sheff goals (Sec. 7, effective July 1, 2008);

6. Permits the state, within available appropriations, to provide grants not to exceed \$75,000 for start-up costs associated with new **charter schools** that assist the state in meeting the Sheff goals (Sec. 10, effective July 1, 2008); and
7. Allows the commissioner, within available appropriations, to provide grants, not to exceed \$2,000 per pupil, to boards of education and RESCs for **transporting Hartford students out-of-district** to the state's technical high schools or regional agricultural science and technology education centers to assist the state in meeting the Sheff goals (Sec. 12, effective July 1, 2008).

(Note: There are additional provisions concerning the implementation of Sheff goals in P.A. 08-169, above.)

- Makes the Board of Trustees of the Community-Technical Colleges, on behalf of **Quinebaug Valley Community College**, eligible for interdistrict magnet school, operating and transportation grants (Secs. 7 and 8, effective July 1, 2008).
- Amends the **parental choice option for the enrollment of students in magnet schools** with unused capacity by specifying that the students who will be given preference in enrolling directly in these schools are students from districts that are not participating in the school or in the OPEN Choice program to an extent determined by the commissioner. Formerly, this preference was given only to students from districts not participating in the school (Sec. 17, effective July 1, 2008).
- Specifies for FY 09 the minimum amount of **tuition** that is to be charged to a board of education by a regional educational service center that operates an **interdistrict magnet school**. Formerly, the statute set the tuition only for students who enrolled when the parental choice option was exercised. As under the former law, if the tuition is not paid, the commissioner may withhold from a town's ECS funds an amount not to exceed the unpaid tuition and pay such money to the fiscal agent for the magnet school (Sec. 17, effective July 1, 2008).
- Requires districts that are participating in **interdistrict magnet schools** to provide **opportunities for their students to attend** such schools in a number at least equal to (1) the number specified in any written agreement with a magnet school operator or (2) the average number of students that the participating district enrolled in the magnet school during the previous three school years (Sec. 17, effective July 1, 2008).
- Extends for an additional year, i.e., until July 1, 2009, the certification requirements that have been in place for **bilingual educators** since July 1, 2005 (Sec. 15, effective July 1, 2008).
- Allows students in grades 6 to 12, inclusive, and not just students in grades 9 and 10 (as was formerly provided), to participate in Department of Education-funded programs for

the use of technology in providing **computer-assisted writing, instruction and testing** (Sec. 16, effective July 1, 2008).

- Renames the **regional vocational agriculture centers** as “regional agricultural science and technology education centers” and expands the enrollment opportunities that school districts that do not operate such centers must offer to students who want to attend a center in another district (Secs. 7, 19 to 33, inclusive, effective July 1, 2008). (*Note: P.A. 08-152, above, makes the same changes.*)
- Carries forward for expenditure during FY 09 the **unexpended balance of ECS funds** transferred to the Department of Education to be awarded to districts with low academic achievement to spend in accordance with the directives of the commissioner pursuant to the state’s **education accountability** laws (Sec. 34, effective June 12, 2008).

Special Act 08-5, [AN ACT CONCERNING THE TEACHING OF CHILDREN WITH AUTISM AND OTHER DEVELOPMENTAL DISABILITIES.](#)

- Requires the Commissioners of Education, Higher Education and Developmental Services and the President of Southern Connecticut State University, or their designees, and in consultation with certain specified entities and such state, local and other entities as they deem appropriate, to define autism and developmental disabilities and to develop recommendations for a **comprehensive state-wide plan** to incorporate **methods of teaching children with autism and other developmental disabilities** into teacher preparation programs, teacher certification requirements, in-service training for educators and training provided to school paraprofessionals (Sec. 1, effective June 5, 2008).
- Specifies that not later than February 1, 2009, the Commissioner of Education and Chancellor of the Connecticut State University System, or their designees, shall **report** these recommendations **to the General Assembly** (Sec. 1, effective June 5, 2008).

(*Note: P.A. 08-169, above, contains the same provisions.*)

Part Two
OTHER 2008 PUBLIC AND SPECIAL ACTS OF INTEREST

Public Act 08-15, [AN ACT CONCERNING STATE EMPLOYEES' LEAVE TIME AND MILITARY SERVICE.](#)

- Gives Department of Correction (DOC) employees, in teaching or professional positions in DOC's **Unified School District #1**, who are called to certain active service in the armed forces additional time to use accumulated leave time when they return from such service (Sec. 1, effective April 29, 2008).

Public Act 08-27, [AN ACT CONCERNING LIVESTOCK DEALERS.](#)

- Specifies that the Department of Agriculture statutes concerning livestock dealers do not apply to any **youth project or organization** that keeps, feeds, breeds, shows or raises livestock (Sec. 2, effective April 29, 2008).

Public Act 08-32, [AN ACT CONCERNING TEENAGE DRIVERS.](#)

- Increases the number of hours of **behind-the-wheel, on-the-road instruction** that individuals sixteen or seventeen years old must complete in order to be issued a motor vehicle operator's license from not less than twenty clock hours to not less than forty clock hours and allows the Commissioner of Motor Vehicles to adopt regulations to implement the requirements for such instruction (Sec. 3, effective August 1, 2008).
- Requires (1) the Commissioner of Motor Vehicles to amend the regulations concerning the content of **safe driving instruction courses** offered at drivers' schools, high schools and other secondary schools to specify that such instruction include, for applicants to whom a learner's permit is issued on or after August 1, 2008, two hours of instruction concerning the laws and penalties that apply to drivers under age 18, the dangers of teenage driving, the cognitive development of adolescents, the responsibilities and liabilities of parents of teenage drivers, and related subjects the commissioner deems appropriate and (2) the parent or guardian of anyone under age 18 to whom a learner's permit is issued on or after August 1, 2008, to attend this two-hour component of the course with the child (Sec. 9, effective August 1, 2008).
- Makes a number of other changes concerning **teenage drivers** (Secs. 1, 2, 4 to 8, inclusive, and 10 to 13, inclusive, effective August 1, 2008). (*Note: P.A. 08-150, below, contains amendments to some of these changes.*)

(For further information about the changes made by P.A. 08-32, above, please contact Sharon Geanuracos, Bureau of Legal Services, Department of Motor Vehicles, at (203) 805-6016 or Sharon.geanuracos@ct.gov.)

Public Act 08-49, [AN ACT CONCERNING HATE CRIMES.](#)

- Deems it a **discriminatory practice** for any person to place **a noose or a simulation** thereof on any public property, or on any private property without the written consent of the owner, and with intent to intimidate or harass any other person on account of religion, national origin, alienage, color, race, sex, sexual orientation, blindness or physical disability (Sec. 1, effective October 1, 2008).

Public Act 08-89, [AN ACT ESTABLISHING A SPORTS ADVISORY BOARD.](#)

- Requires the Connecticut Commission on Culture and Tourism to establish a Sports Advisory Board to advise the commission on the most effective ways to utilize state resources to promote, attract and market in-state professional and **amateur sports and sporting events**. One of the members of the advisory board is to be from the Connecticut Interscholastic Athletic Conference (Sec. 1, effective May 27, 2008).

Public Act 08-112, [AN ACT INCREASING THE HEALTH INSURANCE SUBSIDY TO RETIRED TEACHERS AND CONCERNING CREDITED SERVICE FOR TEACHERS' RETIREMENT.](#)

- Amends a number of **Teachers' Retirement Board (TRB) provisions** including the addition of a section concerning the crediting of service when teachers are notified that they are not properly certified for the position in which they are employed or have been employed (Secs. 1 and 2, effective July 1, 2008; Secs. 3 and 4, effective May 27, 2008).

Public Act 08-132, [AN ACT REQUIRING INSURANCE COVERAGE FOR AUTISM SPECTRUM DISORDER THERAPIES.](#)

- Specifies that certain individual and group **health insurance policies** must provide coverage for physical therapy, speech therapy and occupational therapy services for the treatment of **autism spectrum disorders**, to the extent such services are a covered benefit for other diseases and conditions under such policies (Secs. 1 and 2, effective January 1, 2009).

Public Act 08-133, [AN ACT CONCERNING THE HIRING OF SUPPORT STAFF FOR TEACHERS OF THE BLIND AND VISUALLY IMPAIRED.](#)

- Allows the **Board of Education and Services to the Blind** to use up to 5% of its appropriation for educational aid for blind and visually impaired children to employ **special assistants and other support staff** necessary to ensure the efficient operation of service delivery (Sec. 1, effective July 1, 2008).

Public Act 08-150, [AN ACT CONCERNING THE DEPARTMENT OF MOTOR VEHICLES.](#)

- Defines "**student**" as "any person under the age of twenty-one years who is attending a preprimary, primary or secondary school program of education" for purposes of the chapters of the Connecticut General Statutes concerning motor vehicles and vehicle highway use (Secs. 1 and 2, effective October 1, 2008).
- Incorporates federal standards regarding **drug testing** procedures for tests required of **drivers of school buses and student transportation vehicles** (Sec. 23, effective October 1, 2008).
- Specifies that (1) each school bus that is model year 2007 or newer shall be equipped with a **crossing control arm** mounted on the right end of the front bumper and (2) the Commissioner of Motor Vehicles must adopt regulations establishing additional standards and requirements for such devices (Sec. 44, effective October 1, 2008).
- Prohibits drivers 16 or 17 years of age from **operating motor vehicles after 11:00 p.m.** if they have a motor vehicle operator's license issued on and after August 1, 2008, unless they are driving for certain specified purposes. Sixteen- and seventeen-year-old drivers issued a license prior to August 1, 2008, are prohibited from operating a motor vehicle after midnight, unless they are driving for the same specified purposes (Secs. 45 and 46, effective August 1, 2008, amending Sec. 4 of P.A. 08-32, above).

(For further information about the changes made by P.A. 08-150, above, please contact Sharon Geanuracos, Bureau of Legal Services, Department of Motor Vehicles, at (203) 805-6016 or Sharon.geanuracos@ct.gov.)

Public Act 08-166, [AN ACT ESTABLISHING AN ASIAN PACIFIC AMERICAN AFFAIRS COMMISSION.](#)

- Establishes a 13-member **Asian Pacific American Affairs Commission** to undertake a number of activities including, but not limited to, working with the Department of Education to develop plans and programs that address education and English language instruction as they affect the Asian Pacific American Community (Sec. 1, effective July 1, 2009).

Public Act 08-167, [AN ACT CONCERNING THE CONFIDENTIALITY OF SOCIAL SECURITY NUMBERS.](#)

- Enacts provisions restricting the dissemination of **Social Security numbers** and safeguarding personal information (Sec. 1, effective October 1, 2008).

Public Act 08-184, [AN ACT CONCERNING REVISIONS TO STATUTES PERTAINING TO THE DEPARTMENT OF PUBLIC HEALTH.](#)

- Allows **food service establishments** to purchase **farm products**, e.g., fresh fruits, vegetables, nuts, honey, milk, cheese, etc., that have been produced and are sold in conformance with applicable state regulations at a **farmer's market** if the food service establishment and person selling the farm products comply with certain conditions. This expands provisions concerning food service establishments purchasing fresh produce, i.e., just unprocessed fruits and vegetables, at farmer's markets (Sec. 9, effective June 12, 2008).
- Amends provisions concerning the construction of entrances to **school-based health clinics** that are located in or attached to school buildings (Sec. 35, effective June 12, 2008).
- Requires that on or before September 1, 2008, the Department of Public Health, in collaboration with the Department of Education, must contact each board of education to make such boards aware of **information concerning meningococcal meningitis** (Sec. 55, effective July 1, 2008).
- Establishes a fine for the **possession of tobacco** in any form **by a person less than 18 years of age** in any public place. For purposes of the law, "public place" means any area that is used or held out for use by the public whether owned or operated by public or private interests (Sec. 62, effective October 1, 2008).
- Repeals the **Childhood Immunization Advisory Council** of which the Commissioner of Education was a member (Sec. 63, effective October 1, 2008).

- Repeals several requirements concerning **automatic external defibrillators** (AEDs) including, but not limited to, a requirement that any person in possession of an AED provide notice of the location of the AED to the Office of Emergency Medical Services (Sec. 63, effective October 1, 2008).

Special Act 08-3, [AN ACT CONCERNING YOUTH POLICY AND CONTINUATION OF THE YOUTH FUTURES COMMITTEE FUNCTION.](#)

- Specifies that the Office of Workforce Competitiveness must, not later than July 1, 2008, convene a 19-member **Youth Policy Council** to continue the work of the former Youth Futures Committee. The council is to support positive youth development for all the state's youth between the ages of 12 and 21 and to assist such youth in entering the state's workforce. The membership of the council includes the Commissioner of Education or a designee (Sec. 1, effective May 27, 2008; Sec. 2, effective July 1, 2008).

Public Act 08-3, June 11 Special Session, [AN ACT CONCERNING COMPREHENSIVE ETHICS REFORMS.](#)

- Generally permits state courts to revoke or reduce the **pension due to** public officials and **state and municipal employees** who commit certain crimes related to their employment (Secs. 1 to 5, inclusive, effective October 1, 2008).
- Makes it a class A misdemeanor for public servants to fail to report **bribery** (Sec. 6, effective October 1, 2008).
- Adds Internet web-posting requirements for public agencies to the state's **Freedom of Information Act** (Sec. 11, effective October 1, 2008).
- Makes other **ethics reforms** (Secs. 7 to 10 and 12 to 17, inclusive, effective October 1, 2008).

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**TABLE OF AMENDED AND REPEALED STATUTES
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Statute	Public Act
1-79 (e) (2008 Supp.)	June 11 Sp. Sess. 08-3, S. 13
1-79 (k) (2008 Supp.)	June 11 Sp. Sess. 08-3, S. 9
1-82 (a), (b)	June 11 Sp. Sess. 08-3, S. 16
1-84b (f)	June 11 Sp. Sess. 08-3, S. 15
1-91 (g) (2008 Supp.)	June 11 Sp. Sess. 08-3, S. 14
1-91 (p) (2008 Supp.)	June 11 Sp. Sess. 08-3, S. 10
1-93 (a), (b)	June 11 Sp. Sess. 08-3, S. 17
1-225 (2008 Supp.)	June 11 Sp. Sess. 08-3, S. 11
5-259d (c) (2008 Supp.)	08-15, S. 1
9-622	June 11 Sp. Sess. 08-3, S. 12
10-4b (b)	08-153, S. 1
10-4n Rd.	08-153, S. 9
10-16b (a)	08-153, S. 8
10-16p (a)(5) (2008 Supp.)	08-85, S. 1
10-16p (e) (2008 Supp.)	08-170, S. 4
10-16p (k) (2008 Supp.)	08-170, S. 35
10-16q (b) (2008 Supp.)	08-85, S. 2; 08-170, S. 5
10-18 (a) (2008 Supp.)	08-153, S. 3
10-45	08-169, S. 24
10-47b (a)	08-169, S. 23
10-64	08-152, S. 1; 08-170, S. 19
10-65 (2008 Supp.)	08-152, S. 2; 08-170, S. 20
10-65a	08-152, S. 3; 08-170, S. 21
10-65b	08-152, S. 4; 08-170, S. 22
10-66	08-152, S. 5; 08-170, S. 23
10-66aa	08-50, S. 3
10-66ee (l) (added) (2008 Supp.)	08-170, S. 10
10-66kk (2008 Supp.)	08-50, S. 2
10-95h (2008 Supp.)	08-153, S. 5
10-97 (2008 Supp.)	08-152, S. 6; 08-170, S. 24
10-145a (d)	08-160, S. 8
10-145b (c)(1)	08-153, S. 7
10-145b (m)(2)	08-148, S. 1
10-145h (d)	08-170, S. 15

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Statute	Public Act
10-183b (3), (8) (2008 Supp.)	08-76, S. 1
10-183b (26) (2008 Supp.)	08-112, S. 4
10-183b (28), (29) (added) (2008 Supp.)	08-76, S. 2
10-183e (b), (c) (2008 Supp.)	08-112, S. 2
10-183f (g) (added)	08-76, S. 6
10-183g (a) (2008 Supp.)	08-76, S. 3
10-183g (r) (added) (2008 Supp.)	08-76, S. 4
10-183i	08-76, S. 5
10-183t (c)	08-112, S. 1
10-220 (e) (added)	08-153, S. 6
10-220a (a)	08-160, S. 6
10-220a (d)	08-107, S. 1
10-220h (2008 Supp.)	08-50, S. 1
10-220d	08-152, S. 7; 08-170, S. 25
10-221a (e)	08-138, S. 1
10-222d	08-160, S. 4
10-223e (c) (2008 Supp.)	08-153, S. 4
10-231b (a) (2008 Supp.)	08-152, S. 8; 08-170, S. 26
10-231c (a)	08-152, S. 9; 08-170, S. 27
10-231d (a)	08-152, S. 10; 08-170, S. 28
10-233c (g) (2008 Supp.)	08-160, S. 2
10-262h (a)(6) (2008 Supp.)	08-170, S. 2
10-262i (e) (2008 Supp.)	08-170, S. 1; 13
10-262r	08-170, S. 16
10-264h (a)(1) (2008 Supp.)	08-169, S. 27
10-264i	08-170, S. 8
10-264/ (a)--(d) (2008 Supp.)	08-170, S. 7
10-264/ (a) (2008 Supp.)	08-152, S. 11
10-264/ (c)(3) (2008 Supp.)	08-153, S. 2
10-264/ (j) (2008 Supp.)	08-170, S. 17
10-266m (a)(5) (added) (2008 Supp.)	08-170, S. 12
10-266p (g) (2008 Supp.)	08-170, S. 3
10-266aa (n)--(q)	08-170, S. 6
10-282 (2) (2008 Supp.)	08-152, S. 12; 08-170, S. 29
10-282 (15) (2008 Supp.)	08-152, S. 13; 08-170, S. 30

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Statute	Public Act
10-283 (a)--(c) (2008 Supp.)	08-169, S. 26
10-285c	08-169, S. 3
10-286 (a)(4)	08-152, S. 14; 08-170, S. 31
10-286 (d) (added)	08-169, S. 2
10-287 (a) (2008 Supp.)	08-152, S. 15; 08-170, S. 32
10-287 (b) (2008 Supp.)	08-169, S. 17
10-287d (2008 Supp.)	08-169, S. 30
10-288a	08-152, S. 16; 08-170, S. 33
10-292p (2008 Supp.)	08-184, S. 35
10-295 (b)	08-133, S. 1
14-36 (c) (2008 Supp.)	08-32, S. 2
14-36 (d) (2008 Supp.)	08-32, S. 3
14-36g (2008 Supp.)	08-32, S. 4
14-36g (a) (2008 Supp.)	08-150, S. 45
14-36g (e) (added) (2008 Supp.)	08-150, S. 46
14-100a (c) (2008 Supp.)	08-32, S. 5
14-111 (b)	08-32, S. 6
14-111g (a)	08-32, S. 7
14-212	08-150, S. 2
14-219	08-32, S. 13
14-227b (j)	08-32, S. 1
14-275 (c) (2008 Supp.)	08-150, S. 44
14-276a (d) (2008 Supp.)	08-150, S. 23
19a-7g Rd.	08-184, S. 63
19a-197 Rd.	08-184, S. 63
22-6r (2008 Supp.)	08-184, S. 9
22-382	08-27, S. 2
31-23 (b)	08-108, S. 1
46a-58 (2008 Supp.)	08-49, S. 1
46b-124 (j) (2008 Supp.)	08-86, S. 4
46b-148	08-86, S. 1
46b-149 (2008 Supp.)	08-86, S. 2
46b-149f (2008 Supp.)	08-86, S. 3

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Statute	Public Act
51-181d	08-86, S. 5
53-344 (c)	08-184, S. 62
53a-146	June 11 Sp. Sess. 08-3, S. 7
54-76b (a)	08-32, S. 10
54-76c (a)	08-32, S. 11
54-76l	08-32, S. 12
Public Act	Amended by
07-66, S. 1	08-160, S. 1 (Eff.)
07-66, S. 2	08-160, S. 2
June Sp. Sess. 07-3, S. 23	08-169, S. 12
June Sp. Sess. 07-4, S. 37	08-86, S. 6