

Series: 2001-2002

Circular Letter: C-24

TO: Superintendents of Schools

FROM: Theodore S. Sergi, Commissioner of Education

DATE: May 20, 2002

SUBJECT: Highlights of the 2002 Regular Session of the Connecticut General Assembly

As you probably know, the Connecticut General Assembly has adjourned its 2002 Regular Session and will be meeting sometime in the future in a special session. Very few education proposals were enacted during the regular session. While there were a large number of education proposals that had public hearings and were approved by various legislative committees, many of them did not get final approval by both the Senate and House of Representatives.

We expect that some of these failed proposals may resurface in the special session. However, many will not because the matters that can be addressed in the special session are limited to the budget, state agency deficiencies, state bond authorizations, including school construction, and revenue.

Below is a list highlighting the most important education provisions that passed and have been signed by the Governor or are awaiting his signature. One of these bills has not yet been assigned public act number, but will have one shortly. Once the General Assembly completes the special session, we will provide you with a more complete summary of all of the 2002 legislation. Please remember that we have scheduled the Back-to-School meeting for superintendents for August 15, 2002, at the Legislative Office Building.

2002 HIGHLIGHTS

An Act Concerning Bullying Behavior in Schools and Concerning the Pledge of Allegiance (Public Act 02-119)

Local and regional boards of education are to develop policies, for use on and after February 1, 2003, to address bullying in schools. The statute (attached) specifies what the polices are to include and defines "bullying" (Effective July 1, 2002).

Local and regional boards of education are also to develop policies to ensure that time is available each school day for students to recite the "Pledge of Allegiance." However, the statute is not to be construed to require any person to recite the "Pledge of Allegiance" (Effective October 1, 2002).

An Act Concerning Sexual Assault by a Coach or Instructor, Mandated Reporting of Child Abuse or Neglect and Issuance and Revocation of Educator Certificates (Public Act 02-106)

The crimes of sexual assault in the 2nd and 4th degrees have been expanded to include sexual intercourse (2nd degree) or sexual contact (4th degree) with another person when the actor is a coach in an athletic activity or a person who provides intensive, ongoing instruction and the other person is the recipient of such coaching or instruction and (1) is a secondary school student and receives such coaching or instruction in a secondary school setting or (2) is under 18 years of age (Effective October 1, 2002).

Coaches of intramural or interscholastic athletics are mandated child abuse reporters (Effective October 1, 2002).

Fines for mandated child abuse reporters who fail to make child abuse reports have been increased to not less than \$500 nor more than \$2,500. Formerly the fines were not more than \$500 (Effective October 1, 2002).

State's attorneys must notify the Commissioner of Education if a person holding a certificate, authorization or permit issued by the State Board of Education is convicted of a felony or fined for failing to make a child abuse report (Effective July 1, 2002).

An Act Concerning Penalties for Sexual Assault of a Minor, . . . Reporting and Investigation of Child Abuse and Neglect, . . . Disclosure of Records of Teacher Misconduct . . . (sHB 5680, as amended)

Records maintained or kept on file by a local or regional board of education that are records of the personal misconduct of a teacher are to be deemed to be public records subject to disclosure under the state Freedom of Information Act without the consent of the teacher (Effective October 1, 2002).

A number of changes have been made to the statutes concerning mandatory child abuse reporting including, but not limited to, reducing the number of hours within which mandated reporters must orally report suspected cases of abuse or neglect to the Department of Children and Families or a law enforcement agency (Effective October 1, 2002).

An Act Concerning the Idling of School Buses (Public Act 02-56)

The engine of a stopped school bus cannot be operated for more than three consecutive minutes except when:

1. The bus is forced to remain motionless because of traffic conditions or mechanical difficulties over which the operator has no control;
2. It is necessary to operate heating, cooling or auxiliary equipment on the bus when such equipment is necessary to accomplish the intended use of the bus;
3. The outdoor temperature is below 20° F;
4. It is necessary to maintain a safe temperature for students with special needs;
5. The bus is being repaired; or
6. The operator is in the process of receiving or discharging passengers on a public highway or public road (Effective October 1, 2002).

An Act Concerning Civil Preparedness and the Needs of Children (Special Act 02-8)

On or before January 1, 2003, the Secretary of the Office of Policy and Management is to report on planning and activities for children and youth as part of homeland preparedness and emergency response planning to terrorism. The report is to include provisions that address issues such as training in safety and security measures and multi-hazard response plans for school personnel, and others, and the coordination of school health and mental health strategies (Effective when signed by the Governor).

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

Attachment

Memos:2002 regular session summary



Substitute House Bill No. 5425

Public Act No. 02-119

AN ACT CONCERNING BULLYING BEHAVIOR IN SCHOOLS AND CONCERNING THE PLEDGE OF ALLEGIANCE.

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

Section 1. (NEW) (*Effective July 1, 2002*) Each local and regional board of education shall develop a policy, for use on and after February 1, 2003, to address the existence of bullying in its schools. Such policy shall: (1) Enable students to anonymously report acts of bullying to teachers and school administrators, (2) enable the parents or guardians of students to file written reports of suspected bullying, (3) require teachers and other school staff who witness acts of bullying or receive student reports of bullying to notify school administrators, (4) require school administrators to investigate any written reports filed pursuant to subdivision (2) of this section and to review any anonymous reports, (5) include an intervention strategy for school staff to deal with bullying, (6) provide for the inclusion of language in student codes of conduct concerning bullying, (7) require the parents or guardians of students who commit any verified acts of bullying and the parents or guardians of students against whom such acts were directed to be notified, and (8) require each school to maintain a list of the number of verified acts of bullying in such school and make such list available for public inspection. The notification required pursuant to subdivision (7) of this section shall include a description of the response of school staff to such acts and any consequences that may result from the commission of further acts of bullying. For purposes of this section, "bullying" means any overt acts by a student or a group of students directed against another student with the intent to ridicule, humiliate or intimidate the other student while on school grounds or at a school-sponsored activity which acts are repeated against the same student over time.

Sec. 2. Section 10-230 of the general statutes is amended by adding subsection (c) as follows (*Effective October 1, 2002*):

(NEW) (c) Each local and regional board of education shall develop a policy to ensure that time is available each school day for students in the schools under its jurisdiction to recite the "Pledge of Allegiance". The provisions of this subsection shall not be construed to require any person to recite the "Pledge of Allegiance".