Series 2004-2005

Circular Letter C-3

To: Superintendents of Schools

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

Date: August 18, 2004

Subject: Certificate of Compliance with the Law

All Superintendents of Schools are required to certify that their schools have been maintained according to law on the ED001, which is due on September 1st of each year.

For your convenience in making this certification, I am enclosing a list of the most important requirements of our state laws with which you were required to comply for the 2003-2004 school year. Please note any exceptions from statutory requirements by letter addressed to Attorney Karen Flanagan, Office of Legal and Governmental Affairs, at the address below. Title 10 of the General Statutes does contain additional requirements; however, we believe that the enclosed list contains those most vital to the orderly operation of your schools.

Please note that provisions which represent new requirements for 2003-2004 appear in italics.

If you have any questions with regard to any of the requirements, please contact Attorney Karen Flanagan at (860) 713-6517.

Thank you.

BJS:kfd
Enclosure

g:kjED001-2004 letter
Section 10-220(a) describes the duties of boards of education. It provides as follows:

Each local or regional board of education shall maintain good public elementary and secondary schools, implement the educational interests of the state as defined in section 10-4a and provide such other educational activities as in its judgment will best serve the interests of the school district; provided any board of education may secure such opportunities in another school district in accordance with provisions of the general statutes and shall give all the children of the school district as nearly equal advantages as may be practicable; shall provide an appropriate learning environment for its students which includes (1) adequate instructional books, supplies, materials, equipment, staffing, facilities and technology, (2) equitable allocation of resources among its schools, (3) proper maintenance of facilities and (4) a safe school setting; shall have charge of the schools of its respective school district; shall make a continuing study of the need for school facilities and of a long-term school building program and from time to time make recommendations based on such study to the town; shall adopt and implement an indoor air quality program that provides for ongoing maintenance and facility reviews necessary for the maintenance and improvement of the indoor air quality of its facilities; shall report annually to the Commissioner of Education on the condition of its facilities and the action taken to implement its long-term school building program and indoor air quality program, which report the Commissioner of Education shall use to prepare an annual report that said commissioner shall submit in accordance with section 11-4a to the joint standing committee of the General Assembly having cognizance of matters relating to education; shall advise the Commissioner of Education of the relationship between any individual school building project pursuant to chapter 173 and such long-term school building program; shall have the care, maintenance and operation of buildings, lands, apparatus and other property used for school purposes and at all times shall insure all such buildings and all capital equipment contained therein against loss in an amount not less than eighty per cent of replacement cost; shall determine the number, age and qualifications of the pupils to be admitted into each school; shall develop and implement a written plan for minority staff recruitment for purposes of subdivision (3) of section 10-4a; shall employ and dismiss the teachers of the schools of such district subject to the provisions of sections 10-151 and 10-158a; shall designate the schools which shall be attended by the various children within the school district; shall make provisions as will enable each child of school age, residing in the district to attend some public day school for the period required by law and provide for the transportation of children wherever transportation is reasonable and desirable, and for such purpose may make contracts covering periods of not more than five years; may place in an alternative school program or other suitable educational program a pupil enrolling in school who is nineteen years of age or older and cannot acquire a sufficient number of credits for graduation by age twenty-one; may arrange with the board of
education of an adjacent town for the instruction therein of such children as can attend
school in such adjacent town more conveniently; shall cause each child five years of age
and over and under eighteen years of age who is not a high school graduate and is living
in the school district to attend school in accordance with the provisions of section 10-184,
and shall perform all acts required of it by the town or necessary to carry into effect the
powers and duties imposed by law. (Please note that pursuant to Section 10-184, a
parent or person having control of a child five or six years of age has the option of not
sending the child to school until age seven by personally appearing at the school district
office and signing an option form. The school district must provide information about
the educational opportunities available in the school system. Students must stay in
school until age 18 unless a parent or other person having control over them consents to
their leaving school at 16 or 17.)

Each school district must prescribe rules for the management, studies,
classification and discipline of the public schools, including the selection and use of
nondiscriminatory texts, supplementary books, library books, supplies, materials and
equipment as it deems necessary to meet the needs of instruction in its schools; adopt and
implement policies and procedures concerning (1) homework, attendance, promotion
and retention, (2) drug and alcohol use, sale and possession on school property, (3) youth
suicide prevention and attempts, (4) truancy, (5) the encouragement parent-teacher
communication (6) weighted grading for honors and advanced placement courses, (7)
prohibiting school personnel from recommending the use of psychotropic drugs, (8) the
existence of bullying in its schools, and (9) ensuring that time is available each school
day for the recitation of the pledge of allegiance. Promotion and graduation policies
must be revised to ensure that such policies foster student achievement and reduce the
incidence of social promotion. Each local and regional board of education is responsible
for providing and displaying flags in each classroom. (Sections 10-18a, 10-198a, 10-
221, 10-222d, 10-228, 10-230 and 10-223a) On or before September 1, 2002, local
boards must specify the basic skills necessary for graduation for classes graduating in
2006 and thereafter.

Sections 10-16b, 10-18, 10-19, 10-220(b) and 10-221a obligate school district to
(1) offer prescribed courses of study in accordance with duly adopted educational goals
and student objectives as part of a planned, ongoing and systematic program of
instruction, and (2) require minimum credit requirements for high school
graduation. Section 10-221h requires boards to develop and implement a three-year
plan to improve the reading skills of students in grades kindergarten through three. Prescribed courses of study pursuant to Sec. 10-16b include the arts; career education;
consumer education; health and safety, including, but not limited to, human growth and
development, nutrition, first aid, disease prevention, community and consumer health,
physical, mental and emotional health, including youth suicide prevention, substance
abuse prevention, safety, which may include the dangers of gang membership, and
accident prevention; language arts, including reading, writing, grammar, speaking and
spelling; mathematics; physical education; science; social studies, including, but not
limited to, citizenship, economics, geography, government and history; and in addition,
on at least the secondary level, one or more foreign languages and vocational education.
Instruction must also be given in United States history, government and citizenship (Sec. 10-18); in the knowledge, skills and attitudes required to understand and avoid the effects of alcohol, of nicotine or tobacco, and drugs (Sec. 10-19); and on acquired immune deficiency syndrome (Sec. 10-19). The **minimum high school graduation requirement** is twenty credits, not fewer than four of which must be in English, not fewer than three in mathematics, not fewer than three in social studies, not fewer than two in science, not fewer than one in the arts or vocational education and not fewer than one in physical education. Beginning with high school classes graduating in 2004, students must have at least a **one-half credit course in civics and American History**, which is to be part of the credits required in social studies.

Pursuant to Sections 10-145 to 10-145b, inclusive, 10-151 to 10-151c, inclusive, 10-153 to 10-153g, inclusive, 10-155f, 10-156 to 10-157a, inclusive, 10-220a, 10-221d, 10-235, 10-236a and 10-76dd, districts must employ, evaluate and indemnify appropriately certified and qualified personnel; develop and implement teacher evaluation and professional development programs; provide in-service training on (1) the nature and relationship of drugs and alcohol to personality development and procedures to discourage their abuse, (2) health and mental health risk education, (3) the growth and development of exceptional children, and (4) school violence prevention and conflict resolution, (5) cardiopulmonary resuscitation and other emergency life saving procedures, (6) computer and other information technology as applied to student learning and classroom instruction, communications and data management, and (7) the teaching of the language arts, reading and reading readiness for teachers in grades kindergarten to three, inclusive; and file a signed copy of its teacher and administrator collective bargaining agreements with the Commissioner of Education. No board member shall be employed by the board of education of which he or she is a member under Section 10-232.

Sections 10-221 and 10-233a through 10-233g, inclusive, require school districts to (1) adopt policies governing student conduct which provide for the fair and consistent application of **disciplinary policies and procedures**, (2) afford annual notice of such policies to all pupils and their parents and guardians, and (3) comply with due process requirements in imposing discipline.

Section 10-4a defines the **educational interests of the state** which shall include, but not be limited to the concern of the state that

(1) each child shall have for the period prescribed in the general statutes equal opportunity to receive a suitable program of educational experiences;

(2) each school district shall finance at a reasonable level at least equal to the minimum expenditure requirement pursuant to the provisions of section 10-262] an educational program designed to achieve this end;

(3) in order to reduce racial, ethnic and economic isolation, each school district shall provide educational opportunities for its students to interact with students and teachers from other racial, ethnic, and economic backgrounds
and may provide such opportunities with students from other communities; and

(4) the mandates in the general statutes pertaining to education within the jurisdiction of the State Board of Education be implemented.

Section 10-226h requires school districts to report, by July 1, 2000 and biennially thereafter, on the programs and activities undertaken to reduce racial, ethnic and economic isolation including information on the programs undertaken and evidence over time of progress made. Section 10-220 requires each local and regional board of education to develop and implement a written plan for minority staff recruitment.

School districts are required to provide at least one hundred and eighty days of actual school work for grades kindergarten to twelve and no less than nine hundred hours of actual school work for full day kindergarten and grades one to twelve and four hundred and fifty hours of actual school work for half-day kindergarten pursuant to Sections 10-15 and 10-16.

Sections 10-15c, 10-186 and 10-253 require school districts to provide full and free access, by transportation or otherwise, to its programs to all eligible students without discrimination on account of race, color, sex, religion, national origin or sexual orientation including to those residing with relatives and non-relatives and to those residing in temporary shelters. Children are eligible to attend school if they attain the age of five on or before January 1 of a school year until they attain the age of twenty-one or graduate. Local and regional boards of education must provide educational services to homeless children and youths in accordance with the federal McKinney-Vento Act, 42 USC 11431 et seq., as may be amended from time to time. (Sec. 8 of P.A. 03-6 of the June 30 Special Session)

Section 10-220d requires local and regional boards of education to provide full access to regional vocational-technical schools, regional vocational agriculture centers, interdistrict magnet schools, charter schools and interdistrict student attendance programs for the recruitment, other than for the purpose of interscholastic athletic competition, of students attending the schools under the board’s jurisdiction.

School districts must provide special education and related services to all eligible children requiring special education pursuant to Sections 10-76a through 10-76q. School districts have certain responsibilities for resident students requiring special education and related services who attend charter and magnet schools pursuant to Section 10-66ee and Section 10-264l(h).

Sections 10-17, 10-17a and 10-17d through 10-17g require school districts to assess the needs of students who are speakers of languages other than English and to provide bilingual education, English as a second language and other support services where required and when requested by parents.
Adult education services must be provided for adult residents by a local or regional board of education or through cooperative arrangements or at a cooperating eligible entity or at a regional education service center as required by Sections 10-67 through 10-73c.

School districts must furnish transportation to eligible public and private school students, including students attending charter schools and magnet schools, and develop and implement a policy for reporting of all complaints relative to school transportation safety pursuant to Sections 10-66ee, 10-97, 10-186, 10-220, 10-221c, 10-264l, 10-277, 10-280a and 10-281.

When a student enrolls in a new school district, the district must notify the student’s former district, which must transfer the student’s records no later than ten days after such notification. (Section 10-220h)

Section 10-16a requires each local and regional board of education to provide an opportunity for silent meditation for teachers and students at the start of each school day.

Sections 10-15b and 46b-56 require school districts to allow parents (custodial and non-custodial) access to the records of their minor children except for records containing information that is considered confidential under Section 10-154a and certain health information which is confidential pursuant to other provisions of the General Statutes. Under Section 10-221b, districts must establish a written, uniform policy concerning on-campus recruiting and access to directory information for all recruiters, including commercial, military and non-military and those representing institutions of higher education.

School districts must operate school health programs to ensure the well-being of their students in accordance with Sections 10-203 through 10-204a, 10-205 through 10-210, 10-212, 10-212a, and 10-214 through 10-215 and allow students to be exempted from family life education programs under Section 10-16e. A copy of the record of each pesticide application at a school must be maintained at the school for five years. Pesticides may not be applied during regular school hours or planned activities, and, at the beginning of each school year, boards must notify parents about pesticide application policies and pesticide applications the previous year. Boards must also establish a registry of those who want prior notice of pesticide application and provide such notice. (Sections 10-231b through 10-231d) Boards must adopt and implement an indoor air quality program that provides for maintenance and facility reviews necessary for the maintenance and improvement of indoor air quality and maintain and operate heating, ventilation and air conditioning systems in school buildings in accordance with certain standards and keep records of such maintenance. (P.A. 03-220) Boards may not prohibit glucose self-testing by students with diabetes who have a written order from a physician or APRN. (Sec. 7 of P.A. 03-211)
Section 10-266w obligates school districts to provide breakfast programs when required.

School districts must maintain sanitary and safe schools in accordance with all applicable fire, safety and health codes, ordinances, regulations and laws so that no serious threat of danger exists to any lawful occupant. Smoking in school buildings is prohibited while school is in session or student activities are being conducted. (Sections 10-203, 10-220, 10-221, 10-231 and 19a-342)

Section 10-221g requires each local and regional board of education to conduct an instructional time and facility usage assessment in order to maximize student learning and community use of facilities. Section 10-220 requires each board to report annually to the Commissioner on the condition of its facilities and action taken to implement its long term school building program.

Teachers, principals, guidance counselors, paraprofessionals and coaches of intramural and interscholastic athletics must report suspected or known abuse, or danger of abuse, of children to the Commissioner of Children and Families or his representative or law enforcement officials as soon as practical but not less than twelve hours of forming a reasonable belief of abuse, neglect or imminent risk of serious harm. Boards must report suspected or known abuse by a school employee to the Commissioner of Education and adopt a written policy regarding the reporting by school employees of suspected child abuse. (Sections 17a-101 through 17a-101i and 17a-103)

Section 10-217a requires school districts to provide health services to students in eligible private schools when designated this responsibility by the town or city.

School districts must properly plan for and maintain all funds and accounts within their jurisdiction pursuant to Sections 10-222 and 10-237 and make returns of receipts, expenditures and statistics as prescribed by the Commissioner under Section 10-237. Section 10-220(c) requires local and regional boards of education to submit strategic school profile reports by November 1 of each year.

Boards of Education must elect officers and hold meetings pursuant to Section 10-218, and hold public hearings on citizen petition under Section 10-238.

Sections 10-249 and 10-250 require boards of education to determine by age the number of children of compulsory school age residing in the district and report this information to the Commissioner.

Special note re Priority School Districts – Priority school districts receive special grants for such programs as extra school hours, preschool, infrastructure repair, early reading success and summer school. These districts may have to comply with additional requirements due to their status or as conditions for receipt of specific grants available to them.
Note: Provisions which represent new requirements appear in italics.

PLEASE NOTE: THERE ARE MANY OTHER CONNECTICUT STATUTES WHICH IMPOSE ADDITIONAL REQUIREMENTS; HOWEVER, THIS LIST CONTAINS THOSE MOST VITAL TO THE ORDERLY OPERATION OF OUR SCHOOLS.