



2014 Department of Education Legislative Proposals

- 1. AAC Minor Revisions**
- 2. AA Making Local and State Charter Schools More Accountable and Transparent**
- 3. AAC the Connecticut Technical High School System**
- 4. AAC the Sale of Beverages**
- 5. AAC Magnet Schools**

Agency Legislative Proposal - 2014 Session

Document Name (e.g. OPM1015Budget.doc; OTG1015Policy.doc): 120513_SDE_MinorRevisions

(If submitting an electronically, please label with date, agency, and title of proposal – 092611_SDE_TechRevisions)

State Agency: State Department of Education

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Lead agency division requesting this proposal: Various

Agency Analyst/Drafter of Proposal: Various

Title of Proposal AAC Minor Revisions to the Education Statutes

Statutory Reference Various

Proposal Summary

Section 1: Requires any executive state agency that collects child or student data to collect the State Assigned Student Identifier (SASID) for each child or student and link that SASID to the individual's record within their agency's data system

Section 2: Changes April 15 reporting date for available Open Choice seats to an annual report

Section 3: Elimination of the redundant collection of data from LEAs concerning programs that reduce racial isolation

Section 4: Fixes language in PA 13-122, which eliminated teacher mentor and reviewers from the group of professionals protected from financial loss and expense

Section 5: Extends the term length from 2 to 4 years for members of the Connecticut Advisory Council for School Administrators

Section 6: Changes name in statute from Public School Information System to State Longitudinal Data System

Section 7: Restores the Transportation Grant Cap

Section 8: Delays Vo-Ag Maximum Tuition by one year

Section 9: Minor corrections in Priority School District Grant

Section 10: Adjustments to definitions in pupil transportation and median household income

Section 11: Corrects language regarding a nationally-recognized examination as part of an academic advancement program

Section 12: Extends the deadline for end of year data submissions from June 30th of each year to September 15th in order to allow districts time to complete reports, run data, etc.

Please attach a copy of fully drafted bill (required for review)

PROPOSAL BACKGROUND

- **Reason for Proposal**

Section 1: Federal Direct Certification legislation requires each state to meet a minimum of 95% certification for Free and Reduced Lunch students to USDA standards. This requires the State Department of Education to match students data with the Department of Social Services (DSS) students data, which is a problem because DSS does not collect the SASID on students within their process or data system and matching students is a problem even with the most advanced matching software available, no better than 90%. If all state agencies who service CT student needs collected and stored the SASID within their data system, we would be able to match 100% of the data. Further, matching the data to institutions of higher education allows for better tracking of college and career readiness.

Federal legislation adjusted the Family Educational Rights and Privacy Act (FERPA) to allow agencies who service foster care students to share data. This change now allows the Department of Children and Families (DCF) to view foster care student data but DCF does not collect and store the SASID and matching algorithm again are not good enough to successfully match every student. If all state agencies who service CT student needs collected and stored the SASID within their data system, we would be able to match 100% of the data.

Section 2: The OPEN Choice language calls for RESCs to submit, to the Department, an estimate of seats available for the following school year. This data is due by April 15. These counts have historically been quite high, relative to the actual participation rates of the subsequent year. Therefore, these data are not particularly useful for budgeting and/or projections. We are seeking an adjustment to that language.

Section 3: In our continued efforts to reduce red tape, we seek to eliminate this section. This is a replication of information already collected by various Bureaus within the CSDE.

Section 4: In the 2013 legislative session, PA13-122 eliminated teacher mentor and assessors from the group of professionals protected from financial loss and expense; this was a clean-up due to the sun setting of the BEST program in 2009. However, the TEAM program still uses teacher mentors and reviewers; therefore, CSDE proposes to add teacher mentors and reviewers back into the indemnification statutes to provide protection to individuals who annually agree to serve in these roles.

Section 5: To change the time period of subsequent terms from 2 years to 4 years for members appointed to the Connecticut Advisory Council for School Administrator Standards.

Section 6: This proposal would substitute the phrase “state longitudinal data system” for “state-wide public school information system” in the legislative language under this section. The current statute mistakenly identifies the state longitudinal data system as the public school information system. The proposed change would fix this error and minimize confusion.

Section 7: Restore the cap to public school transportation; it was inadvertently missed last session, when the other statutory grant caps were extended.

Section 8: In the 2013 session, the maximum tuition allowed for Vocational Agriculture Centers (VAC) was revised downward from \$7,992 to \$7,200. At the time the change was passed, towns operating VACs had already set their budgets, based on the old, higher amount. Deficits resulted—the difference between planned revenues based on the old, higher maximum tuition and the new, lower maximum tuition revenues. Delaying the new maximum by one year allows the towns time to adjust in anticipation of the next budget cycle.

Section 9: Two technical corrections are needed to ensure that the priority school district grants may be calculated accurately both for fiscal years 2014 and 2015.

Section 10: In the 2013 session, pupil transportation was inadvertently eliminated from the definition of regular program expenditures, and it must be restored. Also, there is a technical error in the definition of median household income adjustment factor—it should reference “. . .the median ‘median household income’ . . .”

Section 11: Legislation passed in 2013 referenced a national examination as one requirement in an academic advancement program. Since there is no “national examination,” CSDE seeks to change this to a nationally recognized examination so that a number of options are available.

Section 12: Within the CT educator evaluation and support program, evaluators are expected to provide teachers and administrators with a summative rating before the end of the academic year. Currently, the statute requires that superintendents report requested summative data to the Commissioner of Education no later than June thirtieth of each year. However, this allows for a very narrow window in which to finalize summative ratings and reports, and analyze and report out the data. Therefore, the proposal is to permit superintendents to submit the required data no later than September fifteenth of each year.

- **Origin of Proposal** **New Proposal** **Resubmission**

If this is a resubmission, please share:

- (1) *What was the reason this proposal did not pass, or if applicable, was not included in the Administration’s package?*
- (2) *Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?*
- (3) *Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation?*
- (4) *What was the last action taken during the past legislative session?*

PROPOSAL IMPACT

- **Agencies Affected** (please list for each affected agency)

Agency Name: Board of Regents, UConn and DCF (Section 1)

Agency Contact (name, title, phone):

Date Contacted:

Approve of Proposal YES NO Talks Ongoing

Summary of Affected Agency’s Comments

Contacted 12/5/13

Will there need to be further negotiation? YES NO

- **Fiscal Impact** (please include the proposal section that causes the fiscal impact and the anticipated impact)

Municipal (please include any municipal mandate that can be found within legislation)

None

State

None

Federal

None

Additional notes on fiscal impact

- **Policy and Programmatic Impacts** (Please specify the proposal section associated with the impact)

Section 1: Section 3 of Public Act 13-148 is repealed and the following is inserted in lieu thereof: (*Effective upon passage*):

Each local and regional board of education shall include a student's state-assigned student identifier on all official student documents for each student under the jurisdiction of such board of education. For purposes of this section, "official student document" includes, but is not limited to, transcripts, report cards, attendance records, disciplinary reports and student withdrawal forms. **Each state agency collecting data on children shall link such state-assigned student identifier to the child's record within such agency's data system. The Board of Regents for Higher Education and the University of Connecticut shall link such state-assigned student identifier to student records within such institution's data system.**

Section 2: Sec. 2 of Public Act 13-108 is repealed and the following is substituted in lieu thereof (*Effective upon passage*):

(e) Once the program is in operation in the region served by a regional educational service center pursuant to subsection (c) of this section, the Department of Education shall provide an annual grant to such regional educational service center to assist school districts in its area in administering the program and to provide staff to assist students participating in the program to make the transition to a new school and to act as a liaison between the parents of such students and the new school district. Each regional educational service center shall determine which school districts in its area are located close enough to a priority school district to make participation in the program feasible in terms of student transportation pursuant to subsection (f) of this section, provided any student participating in the program prior to July 1, 1999, shall be allowed to continue to attend the same school such student attended prior to said date in the receiving district until the student completes the highest grade in such school. [Each regional educational service center shall convene, annually, a meeting of representatives of such school districts in order for such school districts to report, by March thirty-first, the number of spaces available for the following school year for out-of-district students under the program. Annually, each regional educational service center shall provide a count of such spaces to the Department of Education by April fifteenth.] If there are more students who seek to attend school in a receiving district than there are spaces available, the regional educational service center shall assist the school district in determining attendance by the use of a lottery or lotteries designed to preserve or increase racial, ethnic and economic diversity, except that the regional educational service center shall give preference to siblings and to students who would otherwise attend a school that has lost its accreditation by the New England Association of Schools and Colleges or has been identified as in need of improvement pursuant to the No Child Left Behind Act, P. L. 107-110. The admission policies shall be consistent with section 10-15c and this section. No receiving district shall recruit students under the program for athletic or extracurricular purposes. Each receiving district shall allow out-of-district students it accepts to attend school in the district until they graduate from high school.

Section 3: Section 10-226h of the general statutes is repealed and the following is substituted in lieu thereof.

(a) A local or regional board of education for purposes of subdivision (3) of section 10-4a, may offer such programs or use such methods as: (1) Interdistrict magnet school programs; (2) charter schools; (3) interdistrict after-school, Saturday and summer programs and sister-school projects; (4) intradistrict and interdistrict public school choice programs; (5) interdistrict school building projects; (6) interdistrict

program collaboratives for students and staff; (7) distance learning through the use of technology; and (8) any other experience that increases awareness of the diversity of individuals and cultures.

[(b) Each local and regional board of education shall report by October 1, 2012, and biennially thereafter, to the Commissioner of Education on the programs and activities undertaken in its school district to reduce racial, ethnic and economic isolation, including (1) information on the number and duration of such programs and activities and the number of students and staff involved, and (2) evidence of the progress over time in the reduction of racial, ethnic and economic isolation.

(c) The Commissioner of Education shall report, by January 1, 1999, and biennially thereafter, in accordance with section 11-4a, to the Governor and the General Assembly on activities and programs designed to reduce racial, ethnic and economic isolation. The report shall include statistics on any growth in such programs or expansion of such activities over time, an analysis of the success of such programs and activities in reducing racial, ethnic and economic isolation, a recommendation for any statutory changes that would assist in the expansion of such programs and activities and the sufficiency of the annual grant pursuant to subsection (e) of section 10-266aa and whether additional financial incentives would improve the program established pursuant to section 10-266aa.]

Section 4: Section 6 of PA 13-122 is repealed and the following is substituted in lieu thereof (*Effective upon passage*):

(a) Each board of education shall protect and save harmless any member of such board or any teacher or other employee thereof or any member of its supervisory or administrative staff, and the State Board of Education, the Board of Regents for Higher Education, the board of trustees of each state institution and each state agency which employs any teacher, and the managing board of any public school, as defined in section 10-183b, including the governing council of any charter school, shall protect and save harmless any member of such boards, or any teacher or other employee thereof or any member of its supervisory or administrative staff employed by it, from financial loss and expense, including legal fees and costs, if any, arising out of any claim, demand, suit or judgment by reason of alleged negligence or other act resulting in accidental bodily injury to or death of any person, or in accidental damage to or destruction of property, within or without the school building, or any other acts, including but not limited to infringement of any person's civil rights, resulting in any injury, which acts are not wanton, reckless or malicious, provided such teacher, member or employee, at the time of the acts resulting in such injury, damage or destruction, was acting in the discharge of his or her duties or within the scope of employment or under the direction of such board of education, the Board of Regents for Higher Education, board of trustees, state agency, department or managing board; provided that the provisions of this section shall not limit or otherwise affect application of section 4-165 concerning immunity from personal liability. For the purposes of this section, the terms "teacher" and "other employee" shall include (1) any person who is a cooperating teacher, **teacher mentor or reviewer** pursuant to section 10-220a, (2) any student teacher doing practice teaching under the direction of a teacher employed by a local or regional board of education or by the State Board of Education or Board of Regents for Higher Education, (3) any student enrolled in a technical high school who is engaged in a supervised health-related field placement program which constitutes all or part of a course of instruction for credit by a technical high school, provided such health-related field placement program is part of the curriculum of such technical high school, and provided further such course is a requirement for graduation or professional licensure or certification, (4) any volunteer approved by a board of education to carry out a duty prescribed by said board and under the direction of a certificated staff member including any person, partnership, limited liability company or corporation providing students with community-based career education, (5) any volunteer approved by a board of education to carry out the duties of a school bus safety monitor as prescribed by said board, (6) any member of the faculty or staff or any student employed by The University of Connecticut Health Center or health services, (7) any student enrolled in a constituent unit of the state system of higher education who is engaged in a supervised program of field work or clinical practice which constitutes all or part of a course of instruction for credit by a constituent unit, provided such course of instruction is part of the curriculum of a constituent unit, and provided further such course (i) is a requirement for an academic degree or professional licensure or (ii) is offered by the constituent unit in partial fulfillment of its

accreditation obligations, and (8) any student enrolled in a constituent unit of the state system of higher education who is acting in the capacity of a member of a student discipline committee established pursuant to section 4-188a.

Section 5: Section 10-144e(c) of the general statutes is repealed and the following is substituted in lieu thereof: (*effective upon passage*)

(c) The initial terms for the members appointed by the Governor, the State Board of Education, the president pro tempore of the Senate and the speaker of the House of Representatives and two of the members appointed by the Connecticut Federation of School Administrators and one of the members appointed by the Connecticut Association of Schools shall terminate on January 15, 1994. The initial terms for all other members shall terminate on January 15, 1995. Terms following the initial terms shall be for **[two years] four years**.

Section 6: Section 10-10a of the general statutes is repealed and the following is substituted in lieu thereof: (*effective upon passage*)

Sec. 10-10a. [Public school information system] State Longitudinal Data System. Definitions. Development and implementation. Types of data collected. Access to data maintained under system.

(a) As used in this section:

(1) "Teacher" means any certified professional employee below the rank of superintendent employed by a board of education for at least ninety days in a position requiring a certificate issued by the State Board of Education;

(2) "Teacher preparation program" means a program designed to qualify an individual for professional certification as an educator provided by institutions of higher education or other providers approved by the Department of Education, including, but not limited to, an alternate route to certification program.

(b) The Department of Education shall develop and implement a **[state-wide public school information system] state longitudinal data system**. The system shall be designed for the purpose of establishing **[a] standardized electronic data collection and reporting protocols** that will facilitate compliance with state and federal reporting requirements, improve school-to-school and district-to-district information exchanges, and maintain the confidentiality of individual student and staff data. The initial design shall focus on student information provided the system shall be created to allow for future compatibility with financial, facility and staff data. The system shall provide for the tracking of the performance of individual students on each of the state-wide mastery examinations under section 10-14n in order to allow the department to compare the progress of the same cohort of students who take each examination and to better analyze school performance. The department shall assign a unique student identifier to each student prior to tracking the performance of a student in the **[public school information system] state longitudinal data system**.

(c) On or before July 1, 2013, the department shall expand the **[state-wide public school information system] state longitudinal data system** as follows:

(1) Track and report data relating to student, teacher and school and district performance growth and make such information available to local and regional boards of education for use in evaluating educational performance and growth of teachers and students enrolled in public schools in the state. Such information shall be collected or calculated based on information received from local and regional boards of education and other relevant sources. Such information shall include, but not be limited to:

(A) In addition to performance on state-wide mastery examinations pursuant to subsection (b) of this section, data relating to students shall include, but not be limited to, (i) the primary language spoken at the home of a

student, (ii) student transcripts, (iii) student attendance and student mobility, and (iv) reliable, valid assessments of a student's readiness to enter public school at the kindergarten level;

(B) Data relating to teachers shall include, but not be limited to, (i) teacher credentials, such as master's degrees, teacher preparation programs completed and certification levels and endorsement areas, (ii) teacher assessments, such as whether a teacher is deemed highly qualified pursuant to the No Child Left Behind Act, P.L. 107-110, or deemed to meet such other designations as may be established by federal law or regulations for the purposes of tracking the equitable distribution of instructional staff, (iii) the presence of substitute teachers in a teacher's classroom, (iv) class size, (v) numbers relating to absenteeism in a teacher's classroom, and (vi) the presence of a teacher's aide. The department shall assign a unique teacher identifier to each teacher prior to collecting such data in the [public school information system] **state longitudinal data system**;

(C) Data relating to schools and districts shall include, but not be limited to, (i) school population, (ii) annual student graduation rates, (iii) annual teacher retention rates, (iv) school disciplinary records, such as data relating to suspensions, expulsions and other disciplinary actions, (v) the percentage of students whose primary language is not English, (vi) the number of and professional credentials of support personnel, and (vii) information relating to instructional technology, such as access to computers.

(2) Collect data relating to student enrollment in and graduation from institutions of higher education for any student who had been assigned a unique student identifier pursuant to subsection (b) of this section, provided such data is available.

(3) Develop means for access to and data sharing with the data systems of public institutions of higher education in the state.

(d) On or before July 1, 2011, and each year thereafter until July 1, 2013, the Commissioner of Education shall report, in accordance with the provisions of section 11-4a, to the joint standing committee of the General Assembly having cognizance of matters relating to education on the progress of the department's efforts to expand the [public school information system] **state longitudinal data system** pursuant to subsection (c) of this section. The report shall include a full statement of those data elements that are currently included in the system and those data elements that will be added on or before July 1, 2013.

(e) The system database of student information shall not be considered a public record for the purposes of section 1-210. Nothing in this section shall be construed to limit the ability of a full-time permanent employee of a nonprofit organization that is exempt from taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as from time to time amended, and that is organized and operated for educational purposes, to obtain information in accordance with the provisions of subsection (h) of this section.

(f) All school districts shall participate in the system, and report all necessary information required by this section, provided the department provides for technical assistance and training of school staff in the use of the system.

(g) Local and regional boards of education and preschool programs which receive state or federal funding shall participate, in a manner prescribed by the Commissioner of Education, [in the state-wide public school information system described in subsection (b) of this section] **in the submission of data through the designated data applications associated with the state longitudinal data system, described in subsections (b) and (c) of this section.** Participation for purposes of this subsection shall include, but not be limited to, reporting on (1) student experiences in preschool by program type and by numbers of months in each such program, and (2) the readiness of students entering kindergarten and student progress in kindergarten. Such reporting shall be done by October 1, 2007, and annually thereafter.

(h) On and after August 1, 2009, upon receipt of a written request to access data maintained under this section by a full-time permanent employee of a nonprofit organization that is exempt from taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as from time to time amended, and that is organized and operated for educational purposes, the Department of Education shall provide such data to such requesting party not later than sixty days after such request, provided such requesting party shall be responsible for the reasonable cost of such request. The Department of Administrative Services shall monitor the calculation of such fees charged for access to or copies of such records to ensure that such fees are reasonable and consistent with those charged by other state agencies. The Department of Education shall respond to written requests under this section in the order in which they are received.

(i) The superintendent of schools of a school district, or his or her designee, may access information in the state-wide public school information system regarding the state-wide mastery examination under section 10-14n. Such access shall be for the limited purpose of determining examination dates, examination scores and levels of student achievement on such examinations for students enrolled in or transferring to the school district of such superintendent.

Section 7: Subdivision (4) of subsection (a) of section 10-266m of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(4) Notwithstanding the provisions of this section, for the fiscal years ending June 30, 2004, to June 30, ~~[2013]~~ **2015**, inclusive, the amount of transportation grants payable to local or regional boards of education shall be reduced proportionately if the total of such grants in such year exceeds the amount appropriated for such grants for such year.

Section 8: Section 170 of PA 13-247 is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) Each local or regional board of education not maintaining an agricultural science and technology education center shall provide opportunities for its students to enroll in one or more such centers in a number that is at least equal to the number specified in any written agreement with each such center or centers, 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 each such center or centers during the previous three school years, provided, in addition to such number, each such board of education shall provide opportunities for its students to enroll in the ninth grade in a number that is at least equal to the number specified in any written agreement with each such center or centers, or in the absence of such an agreement, a number that is at least equal to the average number of students that the board of education enrolled in the ninth grade in each such center or centers during the previous three school years. If a local or regional board of education provided opportunities for students to enroll in more than one center for the school year commencing July 1, 2007, such board of education shall continue to provide such opportunities to students in accordance with this subsection. The board of education operating an agricultural science and technology education center may charge, subject to the provisions of section 10-65b, **tuition 1) for the school year ending June 30, 2014, in an amount not to exceed seven thousand nine hundred ninety two dollars and 2) for the school year ending June 30, 2015 and each year thereafter,** [tuition for a school year] in an amount not to exceed sixty-two and forty-seven one-hundredths per cent, of the foundation level pursuant to subdivision (9) of section 10-262f, per student for the fiscal year in which the tuition is paid, except that such board may charge tuition for (1) students enrolled under shared-time arrangements on a pro rata basis, and (2) special education students which shall not exceed the actual costs of educating such students minus the amounts received pursuant to subdivision (2) of subsection (a) of this section and subsection (c) of this section. Any tuition paid by such board for special education students in excess of the tuition paid for non-special-education students shall be reimbursed pursuant to section 10-76g.

Section 9: Subsection (f) and (g) of section 10-266p of the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage*):

(f) In addition to the amounts allocated in subsection (a), and subsections (c) to (e), inclusive, of this section, for the fiscal year ending June 30, 2006, the State Board of Education shall allocate two million thirty-nine thousand six hundred eighty-six dollars to the towns that rank one to three, inclusive, in population pursuant to subdivision (1) of said subsection (a), and for the fiscal years ending June 30, 2007, to June 30 [2013], **2015** the State Board of Education shall allocate two million six hundred ten thousand seven hundred ninety-eight dollars to the towns that rank one to three, inclusive, in population pursuant to subdivision (1) of said subsection (a).

(g) In addition to the amounts allocated in subsection (a) and subsections (c) to (f), inclusive, of this section, for the fiscal year ending June 30, 2012, [and each fiscal year thereafter,] the State Board of Education shall allocate three million two hundred sixteen thousand nine hundred eight dollars as follows: Each priority school district shall receive an allocation based on the ratio of the amount it is eligible to receive pursuant to subsection (a) and subsections (c) to (f), inclusive, of this section to the total amount all priority school districts are eligible to receive pursuant to said subsection (a) and said subsections (c) to (f), inclusive. For the fiscal year ending June 30, [2013], **2014** the State Board of Education shall allocate [two million nine hundred twenty-nine thousand three hundred sixty-four dollars] **two million nine hundred twenty-five thousand four hundred eighty-one dollars** as follows: Each priority school district shall receive an allocation based on the ratio of the amount it is eligible to receive pursuant to subsection (a) of this section and subsections (c) to (f), inclusive, of this section to the total amount all priority school districts are eligible to receive pursuant to subsection (a) of this section and subsections (c) to (f), inclusive, of this section.

Section 10: Subsections 20 and 43 of section 10-262f of the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage*):

(20) "Regular program expenditures" means (A) total current educational expenditures less (B) expenditures for (i) special education programs pursuant to subsection (h) of section 10-76f, (ii) **pupil transportation eligible for reimbursement pursuant to section 10-266m, (iii)** land and capital building expenditures, and equipment otherwise supported by a state grant pursuant to chapter 173, including debt service, **(iv)** health services for nonpublic school children, **(v)** adult education, (C) expenditures directly attributable to (i) state grants received by or on behalf of school districts except grants for the categories of expenditures listed in subparagraphs (B)(i) to (B)(v), inclusive, of this subdivision and except grants received pursuant to section 10-262i, as amended by this act, and section 10-262c of the general statutes, revision of 1958, revised to January 1, 1987, and except grants received pursuant to chapter 173, (ii) federal grants received by or on behalf of school districts except for adult education and federal impact aid, and (iii) receipts from the operation of child nutrition services and student activities services, (D) expenditures of funds from private and other sources, and (E) tuition received on account of nonresident students. The town of Woodstock may include as part of the current expenses of its public schools for each school year the amount expended for current expenses in that year by Woodstock Academy from income from its endowment funds upon receipt from said academy of a certified statement of such current expenses. The town of Winchester may include as part of the current expenses of its public school for each school year the amount expended for current expenses in that year by the Gilbert School from income from its endowment funds upon receipt from said school of a certified statement of such current expenses.

(43) "Median household income adjustment factor" means the ratio of the median household income of the town to one and one-half times the median household income of the town with the median **median** household income.

Section 11: Subsection (a) of section 188 of PA 13-247 is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The Department of Education shall establish an academic advancement program to allow local and regional boards of education to permit students in grades eleven and twelve to substitute (1) achievement of a passing score on an existing nationally **recognized** examination, as determined by the department, or series of examinations approved by the State Board of Education, (2) a cumulative grade point average determined by the State Board of Education, and (3) at least three letters of recommendation from school professionals, as defined in section 10-66dd, for the high school graduation requirements pursuant to section 10-221a. The State Board of Education shall an academic advancement program certificate to any student who has successfully completed such program. Such academic advancement program certificate shall be considered in the same manner as a high school diploma for purposes of determining eligibility of a student for enrollment at a public institution of higher education in this state.

Section 12: Subsection (2) of subsection (b) of section 10-151b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(2) Not later than ~~[June thirtieth]~~ **September fifteenth** of each year, each superintendent shall report to the Commissioner of Education the status of the implementation of teacher evaluations, including the frequency of evaluations, aggregate evaluation ratings, the number of teachers who have not been evaluated and other requirements as determined by the Department of Education.

Agency Legislative Proposal - 2014 Session

Document Name (e.g. OPM1015Budget.doc; OTG1015Policy.doc): 120513_SDE_Charter

(If submitting an electronically, please label with date, agency, and title of proposal – 092611_SDE_TechRevisions)

State Agency: State Department of Education

Liaison: Sarah Hemingway
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Lead agency division requesting this proposal: Turnaround Office

Agency Analyst/Drafter of Proposal: Andrew Ferguson 860-713-6793

Title of Proposal **AA Making Local and State Charter Schools More Accountable and Transparent**

Statutory Reference 10-66bb through 10-66ll

Proposal Summary

Sections 1-4: Equalizes state and local charters in the following ways:

- Posting of public information
- Chances for random annual financial audit
- Opportunity for cooperative agreements
- Eligibility for state assistance for capital expenses

Section 5: Defines, clarifies and lowers the town contribution for local charter funding, and assigns an amount to be allocated for pre-K students

Section 6: Technical correction to the State's statutory due date for the April state and local charter school grant payments

Please attach a copy of fully drafted bill (required for review)

PROPOSAL BACKGROUND

- **Reason for Proposal**

Sections 1-4: These proposals call for state and local charter schools to be treated equally.

Section 5: Clarifies the funding stream for local charter schools in two ways. First, it replaces "net current expenditures" with a more specific funding formula. Second, it specifically addresses pre-kindergarten students in the context of the overall funding formula.

Section 6: Technical correction to the State's statutory due date for the April state and local charter school grant payments.

- **Origin of Proposal** **New Proposal** **Resubmission**

If this is a resubmission, please share:

- (5) What was the reason this proposal did not pass, or if applicable, was not included in the Administration's package?
- (6) Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?
- (7) Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation?
- (8) What was the last action taken during the past legislative session?

PROPOSAL IMPACT

- **Agencies Affected** (please list for each affected agency)

Agency Name: None

Agency Contact (name, title, phone):

Date Contacted:

Approve of Proposal ___ YES ___ NO ___ Talks Ongoing

Summary of Affected Agency's Comments

Will there need to be further negotiation? ___ YES ___ NO

- **Fiscal Impact** (please include the proposal section that causes the fiscal impact and the anticipated impact)

Municipal (please include any municipal mandate that can be found within legislation)

Clarifies local contribution for local charters

State

None

Federal

None

Additional notes on fiscal impact

- **Policy and Programmatic Impacts** (Please specify the proposal section associated with the impact)

Section 1: Section 10-66kk of the general statutes is repealed and the following is substituted in lieu thereof:

(Effective upon passage)

(a) The governing council of each [state] charter school shall post on any Internet web site that the council operates the (1) schedule, (2) agenda, and (3) minutes of each meeting, including any meeting of subcommittees of the governing council.

(b) The membership of the governing council of each [state] charter school shall meet the requirements

concerning such membership set forth in the provisions of subdivision (3) of subsection (d) of section 10-66bb at the time of application for a [state] charter and at all other times.

Section 2: Section 10-66ll of the general statutes is repealed and the following is substituted in lieu thereof: *(Effective upon passage)*

Annually, the commissioner shall randomly select one [state] charter school, as defined in subdivision (3) of section 10-66aa, to be subject to a comprehensive financial audit conducted by an auditor selected by the Commissioner of Education. Except as provided for in subsection (d) of section 10-66ee, as amended by this act, the charter school shall be responsible for all costs associated with the audit conducted pursuant to the provisions of this section.

Section 3: Section 10-66ee(m) of the general statutes is repealed and the following is substituted in lieu thereof: *(effective upon passage)*

Charter schools may, to the same extent as local and regional boards of education, enter into cooperative arrangements as described in section 10-158a, provided such arrangements are approved by the Commissioner of Education. Any [state] charter school participating in a cooperative arrangement under this subsection shall maintain its status as a [state] charter school and not be excused from any obligations pursuant to sections 10-66aa to 10-66ll, inclusive.

Section 4: Section 10-66hh of the general statutes is repealed the following is substituted in lieu thereof *(Effective from passage)*

(a) For the fiscal year ending June 30, 2008, and each fiscal year thereafter, the Commissioner of Education shall establish, within available bond authorizations, a grant program to assist [state] charter schools in financing (1) school building projects, as defined in section 10-282, (2) general improvements to school buildings, as defined in subsection (a) of section 10-265h, and (3) repayment of debt incurred for school building projects. The governing authorities of such [state] charter schools may apply for such grants to the Department of Education at such time and in such manner as the commissioner prescribes. The commissioner shall give preference to applications that provide for matching funds from nonstate sources.

(b) All final calculations for grant awards pursuant to this section in an amount equal to or greater than two hundred fifty thousand dollars shall include a computation of the state grant amount amortized on a straight line basis over a ten-year period. Any [state] charter school which abandons, sells, leases, demolishes or otherwise redirects the use of a school building which benefited from such a grant award during such amortization period, including repayment of debt for the purchase, renovation or improvement of the building, shall refund to the state the unamortized balance of the state grant remaining as of the date that the abandonment, sale, lease, demolition or redirection occurred. The amortization period shall begin on the date the grant award is paid. A [state] charter school required to make a refund to the state pursuant to this subsection may request forgiveness of such refund if the building is redirected for public use.

Section 5: Section 10-66eeof of the general statutes is repealed and the following is substituted in lieu thereof: *(Effective upon passage)*

(a) For the purposes of equalization aid under section 10-262h a student enrolled (1) in a local charter school shall be considered a student enrolled in the school district in which such student resides, and (2) in a state charter school shall not be considered a student enrolled in the school district in which such student resides.

(b)(1) The local board of education of the school district in which a student enrolled in a local charter school resides shall pay, annually, in accordance with its charter, to the fiscal authority for the charter school for each such student the amount specified in its charter, including the reasonable special education costs of

students requiring special education. The board of education shall be eligible for reimbursement for such special education costs pursuant to section 10-76g.

(2) The local or regional board of education of the school district in which the local charter school is located shall be responsible for the financial support of such local charter school at a level that is at least equal to the product of (A) the per pupil cost **for the fiscal year two years prior to the fiscal year for which support will be provided** [, less the reimbursement pursuant to section 10-76g for the current fiscal year,] and (B) the number of students attending such local charter school in the current fiscal year. As used in this subdivision, "per pupil cost" means, for a local or regional board of education, the quotient of the [net current expenditures] **current program expenditures as defined in subdivision 35 of section 262f**, [expenditures, as defined in subdivision (3) of section 10-261,] divided by [the average daily membership] resident students, as defined in subdivision [(2)] **(22)** of section [10-261] **10-262f**, of such local or regional board of education.

(c) (1) For the fiscal year ending June 30, 2014, and each fiscal year thereafter, the State Board of Education may approve, within available appropriations, a per student grant to a local charter school described in subsection (b) of section 10-66nn in an amount not to exceed three thousand dollars for each student enrolled in **kindergarten through grade twelve, inclusive, in** such local charter school, **and an amount not to exceed four thousand dollars for each full day pre-kindergarten student enrolled in such local charter school and not enrolled in school readiness programs funded pursuant to section 10-16p**, provided the local or regional board of education for such local charter school and the representatives of the exclusive bargaining unit for certified employees, chosen pursuant to section 10-153b, mutually agree on staffing flexibility in such local charter school, and such agreement is approved by the State Board of Education. [For the purposes of equalization aid grants pursuant to section 10-262h, the] **The** state shall make such payments, in accordance with this subsection, to the [town in which] **fiscal authority for** a local charter school [is located] as follows: Twenty-five per cent of the amount not later than July fifteenth and September first based on estimated student enrollment on May first, and twenty-five per cent of the amount not later than January first and the remaining amount not later than April fifteenth, each based on student enrollment on October first.

(2) The town shall pay to the fiscal authority for a local charter school the portion of the amount paid to the town pursuant to subdivision (1) of this subsection attributable for students enrolled in such local charter school. Such payments shall be made as follows: Twenty-five per cent of the amount not later than July twentieth and September fifteenth and twenty-five per cent of the amount not later than January fifteenth and the remaining amount not later than April fifteenth.

(d) (1) [For the purposes of equalization aid grants pursuant to section 10-262h, the] **The** state shall pay, in accordance with this subsection, to the [town in which] **fiscal authority for** a state charter school [is located] for each student enrolled in such school, for the fiscal year ending June 30, 2013, ten thousand two hundred dollars, for the fiscal year ending June 30, 2014, ten thousand five hundred dollars, and for the fiscal year ending June 30, 2015, and each fiscal year thereafter, eleven thousand dollars. Such payments shall be made as follows: Twenty-five per cent of the amount not later than July fifteenth and September first based on estimated student enrollment on May first, and twenty-five per cent of the amount not later than January first and the remaining amount not later than April fifteenth, each based on student enrollment on October first. Notwithstanding the provisions of this subdivision, the payment of the remaining amount made not later than April 15, 2013, shall be within available appropriations and may be adjusted for each student on a pro rata basis.

(2) The town shall pay to the fiscal authority for a state charter school the portion of the amount paid to the town pursuant to subdivision (1) of this subsection attributable for students enrolled in such state charter school. Such payments shall be made as follows: Twenty-five per cent of the amount not later than July twentieth and September fifteenth and twenty-five per cent of the amount not later than January fifteenth and the remaining amount not later than April fifteenth.

(3) In the case of a student identified as requiring special education, the school district in which the student resides shall: (A) Hold the planning and placement team meeting for such student and shall invite representatives from the charter school to participate in such meeting; and (B) pay the state charter school, on a quarterly basis, an amount equal to the difference between the reasonable cost of educating such student and the sum of the amount received by the state charter school for such student pursuant to subdivision (2) of this subsection and amounts received from other state, federal, local or private sources calculated on a per pupil basis. Such school district shall be eligible for reimbursement pursuant to section 10-76g. The charter school a student requiring special education attends shall be responsible for ensuring that such student receives the services mandated by the student's individualized education program whether such services are provided by the charter school or by the school district in which the student resides.

Section 6: Subsection (1) of subsections (c) and (d) of section 10-66ee of the general statutes is repealed and the following is substituted in lieu thereof:

(c) (1) For the fiscal year ending June 30, 2014, and each fiscal year thereafter, the State Board of Education may approve, within available appropriations, a per student grant to a local charter school described in subsection (b) of section 10-66nn in an amount not to exceed three thousand dollars for each student enrolled in such local charter school, provided the local or regional board of education for such local charter school and the representatives of the exclusive bargaining unit for certified employees, chosen pursuant to section 10-153b, mutually agree on staffing flexibility in such local charter school, and such agreement is approved by the State Board of Education. For the purposes of equalization aid grants pursuant to section 10-262h, the state shall make such payments, in accordance with this subsection, to the town in which a local charter school is located as follows: Twenty-five per cent of the amount not later than July fifteenth and September first based on estimated student enrollment on May first, and twenty-five per cent of the amount not later than January first and the remaining amount not later than April **first [fifteenth]**, each based on student enrollment on October first.

(d) (1) For the purposes of equalization aid grants pursuant to section 10-262h, as amended by this act, the state shall pay in accordance with this subsection, to the town in which a state charter school is located for each student enrolled in such school, for the fiscal year ending June 30, 2013, ten thousand two hundred dollars, for the fiscal year ending June 30, 2014, ten thousand five hundred dollars, and for the fiscal year ending June 30, 2015, and each fiscal year thereafter, eleven thousand dollars. Such payments shall be made as follows: Twenty-five per cent of the amount not later than July fifteenth and September first based on estimated student enrollment on May first, and twenty-five per cent of the amount not later than January first and the remaining amount not later than April **first [fifteenth]**, each based on student enrollment on October first. Notwithstanding the provisions of this subdivision, the payment of the remaining amount made not later than April 15, 2013, shall be within available appropriations and may be adjusted for each student on a pro rata basis.

Agency Legislative Proposal - 2014 Session

Document Name (e.g. OPM1015Budget.doc; OTG1015Policy.doc): 120513_SDE_CTHSS

(If submitting an electronically, please label with date, agency, and title of proposal – 092611_SDE_TechRevisions)

State Agency: State Department of Education

Liaison: Sarah Hemingway
Phone: (860) 713 - 6493
E-mail: Sarah.Hemingway@ct.gov

Lead agency division requesting this proposal: CTHSS

Agency Analyst/Drafter of Proposal: Nivea Torres 860-807-2132

Title of Proposal AAC the Connecticut Technical High School System

Statutory Reference CGS 10-15d

Proposal Summary

Section 1 allows CTHSS schools to be eligible for grant opportunities open to other LEAs

Section 2 requires that the Technical High School System require CTHSS Board approval of all reports required by statute, rather than sending to the State Board of Education.

Please attach a copy of fully drafted bill (required for review)

PROPOSAL BACKGROUND

- **Reason for Proposal**

While the CTHSS must comply with all new education statutes, they are not always eligible for grant opportunities available to other districts, thus creating unfunded mandates. This proposal would create increased opportunities for the CTHSS to apply for competitive grants.

The new CTHSS governing board has requested the proposal requiring stutorily-required reports to be submitted to them for approval rather than to the State Board of Education.

- **Origin of Proposal** **New Proposal** **Resubmission**

If this is a resubmission, please share:

- (9) *What was the reason this proposal did not pass, or if applicable, was not included in the Administration's package?*
- (10) *Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?*
- (11) *Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation?*
- (12) *What was the last action taken during the past legislative session?*

PROPOSAL IMPACT

- **Agencies Affected** (please list for each affected agency)

Agency Name: None Agency Contact (name, title, phone): Date Contacted: Approve of Proposal ___ YES ___ NO ___ Talks Ongoing
Summary of Affected Agency's Comments
Will there need to be further negotiation? ___ YES ___ NO

- **Fiscal Impact** (please include the proposal section that causes the fiscal impact and the anticipated impact)

Municipal (please include any municipal mandate that can be found within legislation) None
State None
Federal None
Additional notes on fiscal impact

- **Policy and Programmatic Impacts** (Please specify the proposal section associated with the impact)

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Section 1: Sec. 10-15d of the general statutes is repealed and the following is substituted in lieu thereof:
(Effective upon passage)

For the fiscal year beginning July 1, 1987, and annually thereafter, all provisions of the general statutes concerning education, except those provisions relating to the eligibility for noncompetitive state aid unless otherwise provided, shall apply to the operation of the State of Connecticut-Unified School District #2 established pursuant to section 17a-37 within the Department of Children and Families, State of Connecticut- Unified School District #1 established pursuant to section 18-99a within the Department of Correction and State of Connecticut-Unified School District #3 established pursuant to section 17a-240 within the Department of Developmental Services. **All provisions of the general statutes concerning education, except those provisions relating to the eligibility for state aid unless otherwise provided, shall apply to the operation of the technical high schools established pursuant to the provisions of section 10-95.** Notwithstanding the provisions of this section, where such a school or school district shows that a particular statutory provision should not apply, the commissioner may grant an exception.

Section 2: Sec. 10-15d of the general statutes is repealed and the following is substituted in lieu thereof:
(Effective upon passage)

(a) The State Board of Education may establish and maintain a state-wide system of technical high schools to be known as the technical high school system. The technical high school system shall be governed by a board

that shall consist of eleven members as follows: (1) Four executives of Connecticut-based employers who shall be nominated by the Connecticut Employment and Training Commission established pursuant to section 31-3h, and appointed by the Governor, (2) five members appointed by the State Board of Education, (3) the Commissioner of Economic and Community Development, and (4) the Labor Commissioner. The Governor shall appoint the chairperson. The chairperson of the technical high school system board shall serve as a nonvoting ex-officio member of the State Board of Education.

(b) The technical high school system board shall offer full-time, part-time and evening programs in vocational, technical and technological education and training. The board may make regulations controlling the admission of students to any such school. The Commissioner of Education, in accordance with policies established by the board, may appoint and remove members of the staffs of such schools and make rules for the management of and expend the funds provided for the support of such schools. The board may enter into cooperative arrangements with local and regional boards of education, private occupational schools, institutions of higher education, job training agencies and employers in order to provide general education, vocational, technical or technological education or work experience.

(c) The board and the Commissioner of Education shall jointly recommend a candidate for superintendent of the technical high school system who shall be appointed as superintendent by the State Board of Education. Such superintendent shall be responsible for the operation and administration of the technical high school system.

(d) If the New England Association of Schools and Colleges places a technical high school on probation or otherwise notifies the superintendent of the technical high school system that a technical high school is at risk of losing its accreditation, the Commissioner of Education, on behalf of the technical high school system board, shall notify the joint standing committee of the General Assembly having cognizance of matters relating to education of such placement or problems relating to accreditation.

(e) The technical high school system board shall establish specific achievement goals for students at the technical high schools at each grade level. The board shall measure the performance of each technical high school and shall identify a set of quantifiable measures to be used. The measures shall include factors such as performance on the state-wide tenth grade mastery examination under section 10-14n, trade-related assessment tests, dropout rates and graduation rates.

(f) The Superintendent shall submit to the Connecticut Technical High School System Board for approval all reports required by statute rather than sending such reports to the State Board of Education.

Agency Legislative Proposal - 2014 Session

Document Name (e.g. OPM1015Budget.doc; OTG1015Policy.doc): 120513_SDE_Beverages

(If submitting an electronically, please label with date, agency, and title of proposal – 092611_SDE_TechRevisions)

State Agency: State Department of Education

Liaison: Sarah Hemingway
Phone: (860) 713 - 6493
E-mail: Sarah.Hemingway@ct.gov

Lead agency division requesting this proposal: Bureau of Health/Nutrition, Family Services and Adult Education

Agency Analyst/Drafter of Proposal: John Frassinelli, Chief 860-807-2050

Title of Proposal AAC the Sale of Beverages

Statutory Reference 10-221q

Proposal Summary

This proposal requests technical amendments to Section 10-221q of the Connecticut General Statutes so that the state nutrition standards for beverages are consistent with current national health recommendations and federal regulations. The changes to the current statutory language include:

- making the nutrition standards for fluid milk consistent with the federal requirements for low-fat (1%) unflavored and fat-free flavored or unflavored milk, as required by the [Healthy, Hunger-Free Kids Act of 2010](#) (Public Law 111-296);
- specifying that nonnutritive sweeteners include artificial and natural sweeteners and sugar alcohols, and that this applies to all beverage categories;
- making the saturated fat standard for nondairy beverages consistent with the 2010 Dietary Guidelines for Americans, which specify less than 10 percent of calories for saturated fat;
- specifying that no added sodium applies to all beverage categories, not just water;
- specifying that no caffeine applies to all beverage categories, not just water; and
- making the portion size limits for beverages consistent with the USDA interim final rule published on June 28, 2013, [National School Lunch Program and School Breakfast Program: Nutrition Standards for All Foods Sold in School](#), as required by the [Healthy, Hunger-Free Kids Act of 2010](#) (Public Law 111-296).

Please attach a copy of fully drafted bill (required for review)

PROPOSAL BACKGROUND

• Reason for Proposal

The proposed changes are based on recent federal regulations ([Nutrition Standards for the National School Lunch and School Breakfast Programs](#) and [National School Lunch Program and School Breakfast Program: Nutrition Standards for All Foods Sold in School](#), as required by Public Law 111-296, the [Healthy, Hunger-Free Kids Act of 2010](#)) and current nutrition science as reflected in our national health recommendations (2010 Dietary Guidelines for Americans). A summary of the rationale for each change is below.

- **Low-fat (1%) unflavored and fat-free flavored or unflavored milk:** The proposed language

makes the state requirements for fluid milk consistent with the U.S. Department of Agriculture's (USDA) final rule, [Nutrition Standards for the National School Lunch and School Breakfast Programs](#) (77 FR 4088), which updates the school meals offered under the National School Lunch Program (NSLP) and School Breakfast Program (SBP), as required by the [Healthy, Hunger-Free Kids Act of 2010](#) (Public Law 111-296). Effective July 1, 2012, schools participating in the NSLP and SBP can serve only low-fat (1%) unflavored and fat-free flavored or unflavored milk. Whole milk and reduced-fat (2%) milk are not allowed. The federal requirements and this proposed change to Section 10-221q of the Connecticut General Statutes are consistent with the national health recommendations of the 2010 Dietary Guidelines for Americans and the Institute of Medicine's *Nutrition Standards for Foods in Schools: Leading the Way toward Healthier Youth*. In addition, on June 28, 2013, the USDA released the interim final rule, [National School Lunch Program and School Breakfast Program: Nutrition Standards for All Foods Sold in School](#). These new standards take effect on July 1, 2014, and require that all milk sold outside of school meals must also be low-fat (1%) unflavored and fat-free flavored or unflavored.

- **Sweeteners:** The proposed language clarifies that nonnutritive sweeteners for all beverages include both artificial and natural sweeteners and include sugar alcohols. It also makes the requirements for sweeteners in beverages the same as the requirements for sweeteners in foods, under the Connecticut Nutrition Standards developed by the CSDE as directed by Section 10-215e. At the time the Section 10-221q beverage statute was written, all nonnutritive sweeteners were artificial. Since that time, "natural" nonnutritive sweeteners (e.g. stevia) have been developed. The term "natural" does not have any consistent meaning because it has not been defined by the Food and Drug Administration (FDA) and does not necessarily mean that a product is healthier or more nutritious.
- The Connecticut Nutrition Standards do not advocate reducing sugars through the use of any nonnutritive sweeteners (artificial or natural) or sugar alcohols because the philosophy of the Connecticut Nutrition Standards is to focus on whole or minimally processed foods that are naturally nutrient rich and low in added sugars. Children need to learn to enjoy the natural favors of healthy foods that have not been artificially enhanced with a sweet taste. There is little evidence on the long-term health effects of nonnutritive sweeteners, particularly from exposure initiated in childhood. Evidence of the effectiveness of nonnutritive sweeteners in promoting weight loss is inconclusive. Some research suggests that nonnutritive sweeteners can increase cravings for sweet foods and lead to increased calorie consumption.
- **Saturated Fat:** The 2010 Dietary Guidelines for Americans recommend that diets contain less than 10 percent of calories from saturated fat. The current legislation specifies "no more than" 10 percent of calories from saturated fat, which should be changed to "less than" 10 percent of calories from saturated fat.
- **Caffeine:** The current legislation addresses caffeine only for water. The Institute of Medicine's *Nutrition Standards for Foods in Schools* specify that all beverages in schools should be caffeine free, with the exception of trace amounts of naturally occurring caffeine substances. National health recommendations do not support the use of products with significant amounts of caffeine for school-age children because of the potential for adverse effects, including physical dependency and withdrawal.
- **Sodium:** The current state legislation does not address added sodium. Manufacturers could currently add sodium to any of the beverage categories in state statute. Many vegetable juices are extremely high in added sodium. It is also added to some fruit juices. The 2010 Dietary Guidelines for Americans recommend significantly reducing sodium intake to no more than 1,500 milligrams to decrease the risk of high blood pressure and stroke. Currently, Americans consume between 2,900 to 4,300 milligrams of sodium per day. The [Healthy, Hunger-Free Kids Act of 2010](#) (Public Law 111-296) requires that schools begin to gradually reduce sodium levels so that meals meet specific weekly sodium targets. The first intermediate sodium target must be met by July 1, 2014, the second target by July 1, 2017, and the last target by July 1, 2022.
- **Portion size:** The proposed language makes the state requirements for beverage portion sizes

consistent with the USDA interim final rule published on June 28, 2013, [National School Lunch Program and School Breakfast Program: Nutrition Standards for All Foods Sold in School](#). These new standards take effect on July 1, 2014, and require that the maximum serving size for allowable beverages (milk, 100 percent juice) is 8 fluid ounces for elementary schools and 12 fluid ounces for middle and high schools. The portion size for plain water is unlimited, which is consistent with the current language in state statute.

- **Origin of Proposal** **New Proposal** **Resubmission**

If this is a resubmission, please share:
 (13) *What was the reason this proposal did not pass, or if applicable, was not included in the Administration's package?*
 (14) *Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?*
 (15) *Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation?*
 (16) *What was the last action taken during the past legislative session?*

PROPOSAL IMPACT

- **Agencies Affected** (please list for each affected agency)

Agency Name: None
 Agency Contact (name, title, phone):
 Date Contacted:

 Approve of Proposal YES NO Talks Ongoing

Summary of Affected Agency's Comments

Will there need to be further negotiation? YES NO

- **Fiscal Impact** (please include the proposal section that causes the fiscal impact and the anticipated impact)

Municipal (please include any municipal mandate that can be found within legislation)
 None

State
 None

Federal
 None

Additional notes on fiscal impact

- **Policy and Programmatic Impacts** (Please specify the proposal section associated with the impact)

Subsection (a) of section 10-221q of the general statutes is repealed and the following is substituted in lieu thereof: *(Effective upon passage)*

(a) Except as otherwise provided in subsection (b) of this section, each local and regional board of education and the governing authority for each state charter school, interdistrict magnet school and endowed academy

approved pursuant to section 10-34, shall permit at schools under its jurisdiction the sale of only the following beverages to students from any source, including, but not limited to, school stores, vending machines, school cafeterias, and any [fund-raising] **fundraising** activities on school premises, whether or not school sponsored: (1) **Low-fat (1%) unflavored or fat-free flavored or unflavored milk** [Milk] that contains no artificial sweeteners, **nonnutritive sweeteners or sugar alcohols, no added sodium**, and no more than four grams of sugar per ounce, (2) nondairy milk **substitutes** such as soy or rice milk, [which] **that** may be flavored but contain no artificial sweeteners, **nonnutritive sweeteners or sugar alcohols**, no more than four grams of sugar per ounce, no added sodium, no more than thirty-five [per cent] **percent** of calories from fat per portion and [no more] **less** than ten [per cent] **percent** of calories from saturated fat per portion, (3) one hundred [per cent] **percent** fruit juice, vegetable juice or combination of such juices, containing no added sugars, sweeteners or artificial sweeteners, **and no added sodium** (4) beverages that contain only water and fruit or vegetable juice and have no added sugars, sweeteners or artificial sweeteners, **no added sodium, and meet the nutrition requirements specified by the State Department of Education**, and (5) water, which may be flavored but contain no added sugars, sweeteners, artificial sweeteners **added sodium** or caffeine. Portion sizes of beverages, other than water as described in subdivision (5) of this subsection, that are offered for sale pursuant to this subsection shall not exceed [twelve] **eight fluid** ounces **for elementary schools and twelve fluid ounces for middle and high schools**.

Agency Legislative Proposal - 2014 Session

Document Name (e.g. OPM1015Budget.doc; OTG1015Policy.doc): 120513_SDE_Magnet

(If submitting an electronically, please label with date, agency, and title of proposal – 092611_SDE_TechRevisions)

State Agency: State Department of Education

Liaison: Sarah Hemingway
Phone: (860) 713 - 6493
E-mail: Sarah.Hemingway@ct.gov

Lead agency division requesting this proposal: Bureau of Choice Programs

Agency Analyst/Drafter of Proposal: Mark Linabury 860-713-6556

Title of Proposal AAC Magnet Schools

Statutory Reference Section 197 of PA 11-48

Proposal Summary

Allows an interdistrict magnet school that is not in compliance with the state magnet school minority enrollment requirements because of (1) changes in the federal racial and ethnic reporting requirements, (2) updated diversity definitions at the federal level and (3) pending state changes to the definition of diversity, to maintain its status as an interdistrict magnet school under state law and remain eligible for magnet school operating grants, if it submits a compliance plan to the education commissioner that he approves. It also requires CSDE to report by January 1, 2015, its recommendations to amend the statutory diversity requirements for interdistrict magnet schools to conform to changes in the federal and state laws.

Please attach a copy of fully drafted bill (required for review)

PROPOSAL BACKGROUND

- **Reason for Proposal**

In 2010, the USDE had changed the racial reporting to add options and to accommodate multiracial students. It also has broadened the definition of diversity for the federal magnet school grant eligibility. Meanwhile, in ongoing Sheff negotiations, it is expected that an updated definition of diversity will be developed by the end of 2014, helping drive statewide policy thereafter. This proposal will enable consistency in implementation of diversity requirements for magnet schools, and allow enough lead time for schools in danger of non-compliance to operationalize changes to enrollment management practices. If not acted upon, several magnet schools will immediately fall out of compliance and cease to be eligible for state magnet funding under current law.

- **Origin of Proposal** **New Proposal** **Resubmission**

If this is a resubmission, please share:

- (17) *What was the reason this proposal did not pass, or if applicable, was not included in the Administration's package?*
- (18) *Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?*
- (19) *Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation?*
- (20) *What was the last action taken during the past legislative session?*

PROPOSAL IMPACT

- **Agencies Affected** (please list for each affected agency)

Agency Name: None Agency Contact (name, title, phone): Date Contacted: Approve of Proposal ___ YES ___ NO ___ Talks Ongoing
Summary of Affected Agency's Comments
Will there need to be further negotiation? ___ YES ___ NO

- **Fiscal Impact** (please include the proposal section that causes the fiscal impact and the anticipated impact)

Municipal (please include any municipal mandate that can be found within legislation) None
State None
Federal None
Additional notes on fiscal impact

- **Policy and Programmatic Impacts** (Please specify the proposal section associated with the impact)

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Section 197 of Public Act 11-48 is repealed and the following is substituted in lieu thereof:

(a) An interdistrict magnet school program that is not in compliance with the racial minorities enrollment requirements of section 10-264l of the general statutes, as amended by this act, following the submission of student information data [of] **for** such program to the state-wide public school information system, pursuant to section 10-10a of the general statutes, on or before October 1, [2012] **2013**, and October 1, [2013] **2014**, due to **(1)** changes in the 2010 federal racial reporting requirements of racial and ethnic data, as described in the Federal Register of October 19, 2007, **and (2) the adoption of a new statewide definition of diversity under section 10-264i on or before June 30, 2015**, shall maintain such program's status as an interdistrict magnet school program and remain eligible for an interdistrict magnet school operating grant pursuant to section 10-264l of the general statutes, as amended by this act, if such program submits a compliance plan to the Commissioner of Education and the Commissioner approves such plan.

(b) On or before January 1, [2013] **2015**, the Department of Education shall submit to the joint standing committee of the General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 11-4a of the general statutes, recommendations for legislation to amend the racial minorities enrollment requirements for interdistrict magnet school programs pursuant to section 10-264l of the general statutes, as amended by this act, to conform with changes in the federal law. Such plan shall reflect the regional demographics of the interdistrict magnet school programs and the diverse racial, ethnic and socio-economic needs of the student populations attending interdistrict magnet school programs.

