



STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION



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Circular Letter: C-18

TO: Superintendents of Schools

FROM: Mark K. McQuillan, Commissioner of Education

DATE: June 22, 2009

SUBJECT: Highlights of the 2009 Regular Session of the Connecticut General Assembly

The Connecticut General Assembly has now adjourned its 2009 Regular Session. We expect that the General Assembly will convene for a special session sometime in the next few weeks to adopt a budget, the bills needed to implement that budget, bond authorizations, and bills needed to transfer funds to agencies with deficiencies for the fiscal year.

Below is a list of important education bills that were passed during the regular session. Please note that the Governor has not yet signed many of these bills and some of them have not yet been assigned public act numbers.

As you review this information, please also note that this document provides brief summaries of the bills that passed. If you are interested in a particular act, you should read its text. For those bills that have been assigned a public act, links to the text are accessible electronically if you hold "control" and click on the act title in this document. For those bills that have not been assigned a public act, the link will take you to the bill status page where you can review the final version of the bill (the "file copy") and any amendments that were adopted.

Once we have reviewed all of the legislation enacted this year, we will be posting the education-related public and special acts on the Department of Education's Web site (www.sde.ct.gov), on the "Legal Affairs" Web page under "Legislation: Education Bills: 2009." As in the past, we will provide you with a more detailed and comprehensive summary of all of the 2009 education legislation later this summer.

We hope that this is helpful. Please contact Jennifer Widness, Esq., at (860) 713-6520 or jennifer.widness@ct.gov if you have questions.

MKM:jw

2009 HIGHLIGHTS

AN ACT CONCERNING THE REPORTING OF TRUANCY DATA AND THE REDUCTION OF CERTAIN DUPLICATE REPORTS BY THE DEPARTMENT OF INFORMATION TECHNOLOGY (Public Act 09-143; Education Committee) requires truancy data to be included in strategic school profile reports.

AN ACT CONCERNING LONGITUDINAL STUDIES OF STUDENT ACHIEVEMENT (Substitute S.B. 1014, as amended; Education Committee) requires the Department of Education to respond to requests for certain types of student data within 60 days upon the written request of full-time permanent employees of tax-exempt nonprofit organizations organized and operated for educational purposes.

AN ACT CONCERNING GREEN CLEANING PRODUCTS IN SCHOOLS (Public Act 09-81; signed by the Governor on 6/20/09; Education Committee) requires each local and regional board of education to implement a green cleaning program for the cleaning and maintenance of its schools, by July 1, 2011. The act requires school districts to use cleaning products inside their schools that (1) meet guidelines or standards set by a national or international certification program approved by the Department of Administrative Services in consultation with the Commissioner of Environmental Protection and (2) as much as possible, minimize potential harmful effects on human health and the environment. In addition, the act contains a number of new reporting requirements for districts pertaining to green cleaning programs.

AN ACT CONCERNING READMISSION OF STUDENTS (Public Act 09-82; signed by the Governor on 6/20/09; Education Committee) requires boards of education to readmit students to the district if such student has been in an out-of-district placement for one year or more in lieu of expulsion for committing an expellable offense and prohibits such boards from then expelling such students for such offense upon the student's return to school.

AN ACT CONCERNING THE USE OF ASTHMATIC INHALERS AND EPINEPHRINE AUTO-INJECTORS WHILE AT SCHOOL (Public Act 09-155; Public Health Committee) requires the State Department of Education to adopt regulations to permit children diagnosed with either asthma or an allergic condition to retain possession of asthmatic inhalers and automatic pre-filled cartridge injectors at all times while attending school provided a written authorization for self-administration of medication signed by the child's parent or guardian and an authorized prescriber is submitted to the school nurse. In addition, this act as amended requires local and regional boards of education to make available on either the board's or each school's Web site the district's plan for managing students with life-threatening food allergies. If such Web sites do not exist, the board must make the plan publicly available by some other means that it selects. The act also requires boards to provide notice about the plans along with the written statement about pesticide applications that they must, under Section 10-231c of the Connecticut General Statutes, provide parents and guardians. School superintendents must attest annually to the State Education Department that their districts are implementing these plans.

AN ACT CONCERNING SEXUAL ACTIVITY BETWEEN SCHOOL WORKERS AND STUDENTS AND INCLUDING SCHOOL SUPERINTENDENTS AS MANDATED REPORTERS OF CHILD ABUSE AND NEGLECT (S.B. 1110, as amended; Judiciary

Committee) revises the penal code to expand the definition of “school employee” to include anyone working at an elementary, middle, or high school under contract with a local or regional board of education or a supervisory agent in the case of a private school if the job requires regular contact with students. By law, “school employees” who have sexual intercourse with students who attend their schools commit the crime of 2nd degree sexual assault. The bill also makes school superintendents mandated child abuse and neglect reporters.

AN ACT CONCERNING NOTIFICATION OF THE RELEASE OF A REGISTERED SEXUAL OFFENDER INTO THE COMMUNITY (Public Act 09-199; Judiciary Committee) requires the

Department of Public Safety to notify, via electronic mail, the superintendent of schools in a community when a sex offender is released into such community.

AN ACT CONCERNING SCHOOL CRISIS RESPONSE DRILLS AND FIRE DRILLS

(Public Act 09-131; signed by the Governor 6/18/09; Public Safety and Security Committee) requires, rather than allows, local or regional boards of education, once every three months, to substitute crisis response drills for the monthly fire drills required in schools under their jurisdiction. The boards must develop the crisis response drill format in consultation with the appropriate law enforcement agency and allow a representative from such agency to supervise and participate in the drill. The act also requires boards to conduct a fire drill no later than 30 days after the first day of each school year.

AN ACT CONCERNING THE AVAILABILITY OF AUTOMATIC EXTERNAL DEFIBRILLATORS IN SCHOOLS (Public Act 09-94; signed by the Governor 6/2/09; Public

Health Committee) requires local or regional boards of education to have at each school in their jurisdiction, if funding is available: (1) an automatic external defibrillator (AED) and (2) school staff trained in its use and in cardiopulmonary resuscitation (CPR). The act allows such boards to accept donated AEDs under certain conditions. It also allows such boards to accept gifts, donations, and grants for AED acquisition and staff training costs. The act further requires each school to develop an emergency action response plan addressing the appropriate use of school personnel to respond to individuals experiencing sudden cardiac arrest or similar life-threatening emergencies. **An Act Concerning Automatic External Defibrillators** (Public Act 09-59; signed by the Governor 5/20/09; Judiciary Committee), also adopted this session, provides immunity in a lawsuit for damages for acts arising out of a person's or entity's negligence in providing or maintaining an AED. It specifies that immunity does not apply to gross, willful or wanton negligence.

AN ACT CONCERNING SCHOOL INSPECTION REPORTS (Substitute S.B. 850; Public Safety Committee) requires local fire marshals to submit a report documenting their annual inspection of school buildings to the local or regional board of education.

AN ACT CONCERNING PESTICIDE APPLICATIONS AT CHILD DAY CARE CENTERS AND SCHOOLS

(Public Act 09-56; signed by the Governor 5/20/09; Environment Committee) extends until July 1, 2010, the exception to the ban on the application of pesticides on certain school grounds pursuant to an integrated pest management plan.

AN ACT CONCERNING ENVIRONMENTAL HEALTH (Public Act 09-220; Public Health Committee) requires that the Department of Public Health adopt regulations establishing radon measurement requirements and procedures for evaluating radon in indoor air and reducing elevated radon gas levels when detected in public schools. In addition, current law requires local and regional boards of education to provide for a uniform inspection and evaluation program every five years for the indoor air quality for every school building constructed, extended, renovated, or replaced on or after January 1, 2003. Among other things, the program must include a review, inspection or evaluation of radon levels in the air and water. This bill deletes the requirement that radon levels in the water be inspected and evaluated.

AN ACT CONCERNING A UNIFORM REPORTING FORM FOR PRESCHOOL AND CHILD CARE PROGRAMS

(Special Act 09-3; signed by the Governor 4/15/09; Human Services Committee) requires that, no later than January 1, 2010, the Commissioner of Social Services, in collaboration with the Commissioners of Education and Public Health, develop a single form for providers of preschool and child care services to report information necessary to receive state funding. This act was subsequently amended by Substitute H.B. 6678, as noted below.

AN ACT SIMPLIFYING PROCEDURES FOR EARLY CHILDCARE AND EARLY CHILDHOOD EDUCATION FACILITIES

(Special Act 09-10; signed by the Governor 5/4/09; Human Services Committee) requires the Commissioners of Social Services, Education, and Public Health, to conduct a study regarding the requirements and procedures for providers of early childhood education and to issue a report with recommendations to simplify such requirements and procedures. In addition, the bill requires the Departments of Education and Public Health to jointly develop a standard for determining if an individual has obtained 12 credits or more in early childhood education or child development, for various purposes.

AN ACT CONCERNING REVISIONS TO DEPARTMENT OF PUBLIC HEALTH LICENSING STATUTES

(Substitute H.B. 6678, as amended; Public Health Committee) contains a number of provisions relating to education. First, the bill repeals Section 10-292p of the Connecticut General Statutes which requires that any school-based health clinic located in or attached to a school building constructed on or after July 1, 2009, that shares a first floor exterior wall with the school building, must include an entrance that is separate from the entrance to the school building. In addition, the bill amends Special Act 09-3 (see above) by providing further parameters as to what information shall be required on the form developed by the three commissioners for early education providers to receive state funding. Lastly, this bill authorizes the sharing of certain records maintained by the Department of Children and Families as it relates to the operation of child day care facilities and youth camps. This

provision was originally in **An Act Concerning the Licensure of Child Day Care Facilities and Youth Camps** (S.B. 826; Public Health Committee), which did not pass.

AN ACT CONCERNING GOVERNMENT ADMINISTRATION AND THE DESIGNATION OF CERTAIN DAYS AND MONTHS BY THE GOVERNOR (Public Act 09-224; Government Administration and Elections Committee) designates several days, one week, and one month to heighten public awareness of various issues. In addition, the bill requires that United States and Connecticut state flags purchased after July 1, 2009, and displayed on or in public buildings owned or leased by the state be manufactured in the United States.