



SUMMARY OF
2014
CONNECTICUT LEGISLATIVE ENACTMENTS
AFFECTING THE PUBLIC SCHOOLS AND
PUBLIC-SECTOR EMPLOYERS

The Connecticut General Assembly enacted a number of changes in its 2014 session. The following summary provides an overview of the legislative enactments that have had, or will have an impact on Connecticut schools and Connecticut public sector employers. For more detailed information regarding these legislative changes, please contact one of our attorneys.

For additional information and insight into developments in education law, please visit *Education Law Notes*, a Pullman & Comley, LLC school law blog that covers legal matters that pertain to Connecticut public school districts, private schools, colleges and universities at <http://schoollaw.pullcomblog.com/>.

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EDUCATION

All Acts are currently effective unless otherwise indicated.

Interpreters Standards For Students With Hearing Impairments

SPECIAL ACT 14-15: AN ACT CONCERNING INTERPRETER QUALIFICATIONS.

This Special Act provides that by December 31, 2014, the Commissioner of Rehabilitation Services, in consultation with the Office of Protection and Advocacy for Persons with Disabilities and the Connecticut Registry of Interpreters for the Deaf Task Force on Interpreting, shall: (1) develop a plan in consultation with the Commissioner of Education to ensure that an adequate number of qualified interpreters are available to assist students who are deaf or hard of hearing; and (2) submit a report to the General Assembly recommending: (a) any new standards necessary to ensure that an adequate number of qualified interpreters are available; (b) a timeline to implement such new standards; (c) a fee structure, if advisable, for interpreters to pay to register with the Department of Rehabilitation Services, and (d) methods to monitor compliance with interpreter qualification standards.

Preschool And DCF

SPECIAL ACT 14-22: AN ACT CONCERNING ACCESS TO PRESCHOOL PROGRAMS FOR CHILDREN IN THE CARE AND CUSTODY OF THE DEPARTMENT OF CHILDREN AND FAMILIES.

This Act requires the Commissioner of Children and Families [“DCF”], in consultation with the Office of Early Childhood, by January 1, 2015, to (1) adopt policies and procedures that maximize the enrollment in eligible preschool programs of preschool-aged children who are placed in out-of-home care by DCF, and (2) submit such policies and procedures to the General Assembly’s children, human services, education and appropriations committees, and (3) submit to these same committees a report concerning the status of the efforts to enroll such children in preschool programs, including statistics regarding enrollment, availability of spaces and transportation, and special education eligibility.



Health Assessment Forms For Use By Youth Camps And Day Care Providers

PUBLIC ACT 14-15: AN ACT CONCERNING THE USE OF PUBLIC SCHOOL HEALTH ASSESSMENT FORMS BY YOUTH CAMPS AND DAY CARE CENTERS.

This Act permits licensed youth camps, child day care centers, group day care homes, and family day care homes to utilize a child's physical examination that is required for school purposes (e.g., the "blue form"), or the state Department of Education's early childhood health assessment record form to satisfy any physical examination or health status certifications that they require.

IMPACT: School nurses may see an increase in the request for copies of these records.

English Language Learner Educator Incentive Program

PUBLIC ACT 14-21: AN ACT CONCERNING THE ENGLISH LANGUAGE LEARNER EDUCATOR INCENTIVE PROGRAM.

This Act restructures the former teacher loan assistance program by providing grants and loan reimbursement to undergraduates who become ELL teachers. Within available appropriations, students in the last two years of a teacher preparation program pursuing an endorsement in bilingual education or the teaching of English to speakers of other languages may apply for grants of up to \$5,000 per year. In addition, those who receive such grants and are employed in Connecticut public schools under a bilingual education or teaching English to speakers of other languages shall be eligible for reimbursement of federal or state student loans (up to \$2,500 per year for up to four years of teaching service). Between the grants and loan reimbursement, students may receive up to \$20,000. There is no longer a five year teaching commitment to receive the grant as an undergraduate.

Tuition Raffles And Student Loans

PUBLIC ACT 14-28: AN ACT CONCERNING TUITION RAFFLES.

Effective October 1, 2014, this Act allows the proceeds (or prize) from a tuition raffle to be used to pay a student loan as an alternative to tuition payments.

IMPACT: Business managers, high school administrators and guidance counselors should be aware of this provision.



Delay In The Uniform School Calendar

PUBLIC ACT 14-38: AN ACT CONCERNING A UNIFORM REGIONAL SCHOOL CALENDAR.

This Act adopts the recommendations of the Uniform Regional School Calendar Task Force to delay mandatory implementation of the uniform regional school calendar by a year (until 2016-2017) and to permit a school district to delay implementation for an extra year (2017-2018) if an existing employee contract makes such implementation “impossible.”

IMPACT: Human Resources/Labor Relations Specialists should determine whether the proposed regional calendar is at odds with any holiday or other provisions of current collective bargaining agreements. If so, you will have to determine whether there will be a need to engage in mid-stream bargaining or whether it can be addressed in the next negotiation of a successor collective bargaining agreement.

Pre-School, Special Education, and Kindergarten Enrollment Age

PUBLIC ACT 14-39: AN ACT ESTABLISHING THE OFFICE OF EARLY CHILDHOOD, EXPANDING OPPORTUNITIES FOR EARLY CHILDHOOD EDUCATION AND CONCERNING DYSLEXIA AND SPECIAL EDUCATION.

This Act addresses a number of early childhood and special education topics:

Dyslexia: By January 1, 2015, the State Department of Education shall add “SLD - Dyslexia” under “Specific Learning Disabilities” in the “Primary Disability” section of the individualized education program form used by planning and placement teams. On and after July 1, 2015, any program of teacher preparation leading to professional certification shall include the detection and recognition of, and evidence-based interventions for, students with dyslexia.

Kindergarten enrollment/age: This Act also requires boards of education to inform parents and guardians via the special education procedural safeguards of their right to withhold enrolling their child in kindergarten. Separately, by June 30, 2015, the Office of Early Childhood shall develop, in consultation with the State Department of Education, a plan for (1) changing the date that a child must reach five years of age to be eligible to enroll in kindergarten from January 1st of any school year to October 1st of any school year, and (2) the creation of spaces in school readiness programs and public and private prekindergarten programs for those children who reach five years of age after October 1st of any school year and are not eligible to enroll in kindergarten for such school year.

Office of Early Childhood: The Office of Early Childhood will be responsible for administering school readiness and early childhood programs and services currently run by the State Department of Education, the Department of Social Services, and the Department of Public Health.

School Readiness: This Act expands school readiness program grants funding to enable eligible towns and regional school readiness councils to expand and start up new school readiness classrooms and



provide spaces to eligible children in school readiness programs that are accredited or seeking accreditation.

IMPACT: Among other things, it is assumed that the State Department of Education will update the model procedural safeguard for special education students. Special Education Directors should ensure new notice about kindergarten is provided.

Grants For Preschool Programs

PUBLIC ACT 14-41: AN ACT ESTABLISHING THE CONNECTICUT SMART START PROGRAM.

This Act requires the Office of Early Childhood, in consultation with the Department of Education, to administer the “Connecticut Smart Start” competitive grant program to reimburse local and regional boards of education for capital and operating expenses related to establishing or expanding a preschool program. *See also Public Act No. 14-39, above.*

Technical High Schools And Graduate Employment Status

PUBLIC ACT 14-59: AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE LEGISLATIVE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE ON THE REEMPLOYMENT OF OLDER WORKERS CONCERNING THE TECHNICAL HIGH SCHOOL SYSTEM.

This Act requires the Connecticut Technical High School System superintendent to submit additional student information to the General Assembly annually on the employment status of students who graduate, namely 1) demographics, such as age and gender; 2) course and program enrollment and completion; 3) employment status; and 4) wages prior to enrolling and after graduation.



Concussion Safeguards

PUBLIC ACT 14-66: AN ACT CONCERNING YOUTH ATHLETICS AND CONCUSSIONS.

This Act requires schools to develop a concussion education plan, use an informed consent form, and compile data regarding concussions for reports to the state. Specifically, the Act does the following:

Requirements for Schools for the 2014-15 school year:

- When a student is removed from an athletic activity due to demonstrating signs and symptoms of a concussion, a qualified school employee must notify the parents or guardians immediately and not later than 24 hours after the incident has occurred.
- School districts must be prepared to report to the State Board of Education [“SBE”] all instances of student concussions including the nature and extent of the concussion and the circumstances in which the student sustained the concussion.

State Board of Education obligations over the next year:

- By October 14, 2014, the SBE in consultation with other stakeholders shall update the training course on concussions. Refresher courses (which coaches must complete every five years) will now include current best practices in concussion research, treatment and issues specific to coaching football, such as frequency of games and full contact practices and scrimmages as identified by the governing authority for intramural and interscholastic athletics.
- By January 1, 2015, the SBE must develop a concussion education plan to be used by school districts.
- By July 1, 2015, the SBE shall develop or approve an informed consent form to distribute to the parents and legal guardians of student regarding concussions. Such informed consent form shall include a summary of the concussion education plan and applicable board policies regarding concussions.

Requirements for Schools for the 2015-16 school year:

- Each local and regional board of education shall implement a concussion education plan by utilizing written materials, online training or videos or in person training.
- Schools must have parents and guardians sign the informed consent form to acknowledge receipt of the form and authorize the student to participate in the athletic activity.
- Schools must require students who participate in intramural or interscholastic athletics and a parent or guardian to read written materials, view online training or videos, or attend in-person training regarding the district’s concussion education plan prior to permitting participation.

IMPACT: Athletic directors and coaches should become familiar with this new law. While



school districts await the guidance they will receive from the State regarding the concussion education plan and informed consent form that will need to be in place next year, schools should be prepared for greater record keeping requirements and monitoring during the upcoming school year.

Possession Of “E-Cigarettes”

PUBLIC ACT 14-76: AN ACT CONCERNING THE GOVERNOR’S RECOMMENDATIONS REGARDING ELECTRONIC NICOTINE DELIVERY SYSTEMS AND YOUTH SMOKING PREVENTION.

Effective October 1, 2014, this Act prohibits the sale, delivery to or purchase (or possession in a public place) by persons under the age of 18 of electronic nicotine delivery systems (the so-called “e-cigarettes”) or “vapor products,” and imposes an array of fines.

IMPACT: Policy committees and administrators should review their non-smoking policies, along with the consideration of revisions to student discipline policies so as to include such possession of e-cigarettes as a punishable offense.

State Building Grant Commitments

PUBLIC ACT 14-90: AN ACT CONCERNING AUTHORIZATION OF STATE GRANT COMMITMENTS FOR SCHOOL BUILDING PROJECTS AND CONCERNING CHANGES TO THE STATUTES CONCERNING SCHOOL BUILDING PROJECTS.

This Act authorizes state grant commitments for specified school building projects and makes revisions to the statutes regarding school safety infrastructure standards. Such revisions include 1) a possible waiver of said standards where there is finding of good faith efforts by the district to address the standards and where compliance would be “infeasible, unreasonable or excessively expensive,” and 2) a requirement that grant applicants conduct a safety assessment to measure compliance with such standards.

IMPACT: Business managers and building committees should be aware of the waiver and grant requirements.



Sudden Cardiac Arrest Prevention

PUBLIC ACT 14-93: AN ACT CONCERNING SUDDEN CARDIAC ARREST PREVENTION.

Effective October 1, 2014, this Act establishes a sudden cardiac arrest program that schools must have in place for the 2015-16 school year. The Act directs the State Board of Education, in consultation with other stakeholders, to develop or approve a sudden cardiac arrest awareness education program for intramural and interscholastic athletics to be used by local and regional boards of education. The program shall include materials on warning signs and symptoms, risks of continued athletic activity after exhibiting symptoms, obtaining proper medical treatment and the method of allowing a student who has experienced a sudden cardiac arrest to return to intramural or interscholastic athletics. In addition, the State Board of Education must also develop an informed consent form that coaches will be required to distribute to parents and guardians of students involved in intramural or interscholastic athletics. The form must include a summary of (1) the sudden cardiac arrest awareness education program; and (2) applicable district policies on sudden cardiac arrests. The Act specifies that parents and guardians must sign the form to attest to their receipt of the document and authorize their child's participation in intramural or interscholastic athletics. Finally, the Act also provides that each year coaches must review their district's sudden cardiac arrest program before commencing a coaching assignment. Coaches who fail to review their district's sudden cardiac arrest program as provided for under the Act face revocation of their coaching permit.

IMPACT: Athletic directors, coaches and especially football coaches should read this new law. By the beginning of the 2015-16 school year, boards may need to revise or implement policies to address: (1) implementation of a sudden cardiac arrest awareness education program for intramural and interscholastic athletics; (2) coaching responsibilities under the sudden cardiac arrest awareness education program; (3) the development, distribution and signing of informed consent forms to be sent to the parents/guardians of students participating in intramural and interscholastic athletics.



State Bonding For Preschool Grants and Security Infrastructure

PUBLIC ACT 14-98: AN ACT AUTHORIZING AND ADJUSTING BONDS OF THE STATE FOR CAPITAL IMPROVEMENTS, TRANSPORTATION AND OTHER PURPOSES, AND CONCERNING MISCELLANEOUS PROGRAMS, INCLUDING THE SMART START PROGRAM, THE WATER IMPROVEMENT SYSTEM PROGRAM, SCHOOL SECURITY GRANTS, THE REGENERATIVE MEDICINE RESEARCH FUND, THE CONNECTICUT MANUFACTURING INNOVATION FUND AND THE BOARD OF REGENTS FOR HIGHER EDUCATION INFRASTRUCTURE ACT.

Sections 24-25 of this Act establish a separate, non-lapsing account in the General Fund to be expended by the Office of Early Childhood in connection with the Smart Start competitive grant program established by Public Act 14-41. Pursuant to the Act, the State Bond Commission has been authorized to issue bonds in amounts not to exceed \$105 million dollars for the next ten years (\$15 million in fiscal year 2014-15 and \$10 million in each of the next nine fiscal years). Additionally, Section 138 of P.A. 14-217 provides that for each of the fiscal years ending June 30, 2016, to June 30, 2025, \$10 million shall be disbursed from the Tobacco Settlement Fund to the Smart Start competitive grant account for grants-in-aid to towns for the purpose of establishing or expanding a preschool program under the jurisdiction of the board of education for the town.

Sections 73-74 of the Act expand eligibility for the school security infrastructure competitive grant program. For applications during the fiscal year ending June 30, 2015, recipients may include regional educational service centers (RESCs), state charter schools, technical high schools, endowed academies and private schools. The Act also expands the types of security infrastructure spending that is eligible for reimbursement to include “real time interoperable communications and multimedia sharing infrastructure.” The Act establishes the method by which the percentage of reimbursement is determined for RESCs, charter schools, technical high schools, endowed academies and private schools as well as the criteria for prioritizing grant applications in the event of insufficient funding. Under the terms of the Act, priority is given to schools with the greatest infrastructure needs based upon school building assessments. Secondary consideration is given to priority school districts. The Act designates that at least 10 percent of available grant funding must be awarded to private schools. The Act also increases the bond authorization for these grants from \$15 million to \$37 million.

IMPACT: Given the expanded eligibility and additional funding, business managers, school security and building committees should consider applying for these competitive grants.



Records For Students Committed to DCF

PUBLIC ACT 14-99: AN ACT CONCERNING THE DEPARTMENT OF CHILDREN AND FAMILIES AND THE EDUCATION OF CHILDREN.

Effective October 1, 2014, this Act explicitly mandates that school districts responsible for providing for the education of children committed to the care of the Department of Children and Families [“DCF”], provide to DCF, a foster parent or the attorney for the child a description of the child’s educational status and academic progress, including the child’s current levels of educational performance, absenteeism and grade level performance, test results, report cards, individual success plans and discipline reports. This Act further provides that DCF and the Court Support Services Division must promptly review the educational files of any child upon entry into any facility or school program run or contracted for by DCF or the Division to determine if such child may be eligible for special education.

IMPACT: Records personnel should be prepared to forward educational records to DCF in a reasonably prompt manner.

Pilot Truancy Program

PUBLIC ACT 14-103: AN ACT CONCERNING PROBATE COURT OPERATIONS.

Section 9 of this Act permits the probate court administrator to establish a pilot truancy clinic in New Haven in the same manner as a similar pilot truancy program that had been established in Waterbury. The probate court administrator must report on the effectiveness of both clinics by January 1, 2016.

Technical Revisions

PUBLIC ACT 14-113: AN ACT CONCERNING RECOMMENDATIONS BY THE LEGISLATIVE COMMISSIONERS FOR TECHNICAL REVISIONS TO THE EDUCATION STATUTES.

This Act makes a technical revision, clarifying that a candidate for certification as a school administrator who takes the so-called “alternate route to certification for school administrators” must have a bachelor’s degree from an institution accredited by the Board of Regents for Higher Education or the Office of Higher Education in lieu of the State Board of Education.



“Carrying School Children” Signs

PUBLIC ACT 14-130: AN ACT REVISING MOTOR VEHICLE LAWS.

Effective October 1, 2014, Section 28 of this Act makes it optional (rather than required) to cover or remove the “Carrying School Children” signs that are mandated for vehicles transporting children to and from schools or school activities when such vehicles are not being used to transport children.

IMPACT: Transportation personnel should be approved of new rules.

Autism Advisory Council

PUBLIC ACT 14-143: AN ACT CONCERNING ADVISORY AND PLANNING COUNCILS FOR STATE DEVELOPMENTAL SERVICES REGIONS, A CHANGE IN TERMINOLOGY AND THE AUTISM SPECTRUM DISORDER ADVISORY COUNCIL.

Effective October 1, 2014, this Act makes a series of changes to the composition of the Advisory and Planning Councils for State Developmental Services Regions. In particular, the Act (1) gives members of the leadership of the General Assembly the authority to appoint two additional members to the Council on Developmental Services, one of whom must be a person with autism spectrum disorder who is or has been a recipient of services from the Division of Autism Spectrum Disorder Services; (2) expands the Councils’ membership criteria to include “relatives or guardians” of persons with an intellectual disability rather than the “parent or guardian” of a person with an intellectual disability; and (3) changes the minimum number of Council meetings from bimonthly to six times per year. The Act also adds another seat to the Autism Spectrum Disorder Advisory Council and requires that such additional member be appointed by the Governor and be a physician who treats or diagnoses persons with autism spectrum disorder. The Act allows a member of an Advisory and Planning Council to serve beyond the current limit until the appointment of a successor.

Mandated Reporting of Abuse/Neglect of Autistic Students

PUBLIC ACT 14-165: AN ACT CONCERNING MANDATORY REPORTING OF ABUSE AND NEGLECT OF INDIVIDUALS WITH AUTISM SPECTRUM DISORDER, THE DEFINITION OF ABUSE, AND THE DEPARTMENT OF DEVELOPMENTAL SERVICES ABUSE AND NEGLECT REGISTRY.

Effective October 1, 2014, this Act creates a process for the Department of Developmental Services [“DDS”] to investigate complaints of abuse or neglect of individuals eighteen to sixty years of age who receive financial assistance or services through the Division of Autism Disorder Services. The Act also expands the DDS registry’s definition of “abuse” to include financial exploitation and psychological, verbal or sexual abuse. The Act makes it clear that mandated reporters (who include



licensed practical nurses, social workers, teachers, principals, guidance counselors, paraprofessionals, speech and language pathologists and physical therapists) must report suspicions of abuse and neglect not only with regard to individuals with intellectual disabilities, but also with regard to those individuals who receive services from the Division of Autism Spectrum Disorder Services to the Office of Protection and Advocacy.

IMPACT: Directors of special education, administrators, and human resources personnel should identify mandated reporters and make them aware of their new obligation to report suspected abuse and neglect of individuals age 18 or older who receive financial assistance or services from the Division of Autism Disorder Services.

School Climate And Bullying

PUBLIC ACT 14-172: AN ACT CONCERNING IMPROVING EMPLOYMENT OPPORTUNITIES THROUGH EDUCATION AND ENSURING SAFE SCHOOL CLIMATES.

This Act adds elements to safe school climate plans and interventions to address bullying. Specifically, the Act makes the following changes with regard to safe school climate plans:

- Notice of the process by which students may report acts of bullying must be provided to students and parents at the beginning of each school year (formerly just “annually”);
- Parents of both the alleged bully and alleged victim must receive “prompt” notice that an investigation has begun;
- When meeting with parents of a student who has been bullied, schools must communicate not only the measures being taken to ensure the safety of the bullied student, but also the policies and procedures in place to prevent further acts of bullying;
- The law now explicitly states that the meeting with the parents of the bully must be “separate and distinct” from the meeting with the parents of the victim.

With regard to bullying prevention and intervention strategies the Act provides that:

- The list of potential strategies has been expanded to include use of “culturally competent school-based curriculum” focusing on social-emotional learning, self-awareness and self-regulation;
- Funding for bullying intervention and school climate improvement may originate from “public, private, federal or philanthropic sources”;
- Interventions with the bullied child are explicitly defined to include “referrals to a school counselor, psychologist or other appropriate social or mental health service, and periodic follow-up by the safe school climate specialist with the bullied child.”



This Act also provides that the Office of Early Childhood, in collaboration with the State Department of Education, may offer from funds which may originate from public, private, federal or philanthropic sources a competitive grant for up to three alliance school districts to develop and implement a strategy to promote the social and emotional well-being and health of preschool children from age three to children in third grade, with a focus on instructional tools and family engagement.

Finally, the Act requires the Department of Social Services and the Department of Labor to permit Temporary Family Assistance [“TFA”] recipients to take approved educational courses (including high school, GED and basic educational programs) as part of the requirements of the TFA’s employability plan. The Departments of Social Services and the Department of Labor are required to implement policies and procedures to establish which programs may qualify as an approved employment activity, along with enrollment and academic requirements for students. The Act specifically states that this provision should not be construed as requiring the State to pay the tuition of any TFA recipient.

IMPACT: Safe school climate committees need to review and consider revising safe school climate plans.

Emergency Epinephrine in Schools

PUBLIC ACT 14-176: AN ACT CONCERNING THE STORAGE AND ADMINISTRATION OF EPINEPHRINE AT PUBLIC SCHOOLS AND PUBLIC INSTITUTIONS OF HIGHER EDUCATION.

This Act authorizes the storage of epinephrine at schools and the emergency administration of epinephrine to students who do not have a prior written authorization. Additionally, the Act clarifies “paraprofessionals” as “qualified school employees” for the administration of medication and requires the State Departments of Education and Public Health to jointly develop by December 31, 2014, in consultation with the School Nurse Advisory Council, a training program for non-medical staff to administer epinephrine in situations where students were not previously known to have allergies.

IMPACT: School nurses, medical advisors and policy committees should consider the need to revise administration of medication policy and regulations.

DCF and Addressing Abuse and Neglect

PUBLIC ACT 14-186: AN ACT CONCERNING THE DEPARTMENT OF CHILDREN AND FAMILIES AND THE PROTECTION OF CHILDREN.

Effective October 1, 2014, this Act expands the list of mandated reporters of abuse and neglect and



clarifies the circumstances in which DCF must share information with schools regarding school employees who are investigated by DCF for abuse and neglect. Existing law provides that if DCF determines that there is reasonable cause to believe that a child has been abused or neglected by a school employee who holds a certificate, permit or authorization issued by the State Board of Education, -or- if DCF has recommended that such employee be placed on the DCF child abuse and neglect registry, the Superintendent shall suspend such employee with pay and without termination of benefits pending further action by the board. The Act makes two changes to this existing process: (1) it expands the category of “school employees” from persons holding a certificate, permit or authorization issued by the State Board of Education to a school employee as defined by Conn. Gen. Stat. §53a-65 (which more broadly includes teachers, substitute teachers, administrators, superintendents, guidance counselors, psychologists, social workers, nurses, physicians, paraprofessionals, coaches or any other person who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in the district); and (2) the Act now requires both the Commissioner’s reasonable belief that a school employee has abused or neglected a child –and- the recommendation that the employee be placed on the abuse and neglect registry to trigger the employee’s mandatory suspension.

The Act also expands the list of mandated reporters required to report suspected abuse or neglect of children to include paid youth camp directors or assistant directors and coaches who fall within the following categories:

- Coaches who hold a coaching permit issued by the State Board of Education;
- Coaches of intramural or interscholastic athletics who are age 18 or older;
- Any individual employed as a coach or director of a private youth sports organization, league or team who is age 18 or older;
- Any paid administrator, faculty, staff, athletic director, athletic coach or athletic trainer employed by a public or private institution of higher education who is 18 or older and not a student employee.

Finally, the Act explicitly permits DCF to disclose the name of an individual who reports suspected abuse or neglect to law enforcement officers and the Chief State’s Attorney for the purpose of investigating an allegation that such person made a false report.

IMPACT: Policy committees and administrators should consider the need to revise child abuse and neglect policies. It should be noted that coaches who work for public schools are already mandated reporters by virtue of being “school employees” as defined under existing law.

Repeal Of Unnecessary Regulations And Statutes

PUBLIC ACT 14-187: AN ACT ELIMINATING UNNECESSARY GOVERNMENT REGULATION.

This Act makes a series of changes to the State’s regulatory approval process (particularly in light of the electronic or “eRegulations” system and its effect on the notice and comment periods), seeks to repeal numerous obsolete state agency regulations, makes various changes to Department of Children



and Families [“DCF”] procedures, and repeals a number of statutes. The DCF changes became effective upon the Act’s June 11, 2014 enactment and include a requirement that DCF adopt certain policies for establishing and conducting schools in Unified School District #2 along with changes to the requirements for child permanency plans and the right to a hearing for a “delinquent” child committed to DCF’s care when the child’s parole may be revoked.

Among the statutes that were repealed by the Act were the enforcement provisions (i.e., authority to fine) for three state labor statutes. The first two laws concern railroad employees. The third statute, Connecticut General Statutes §31-51k, the repeal of which has garnered surprisingly little state-wide attention to date, prohibited Connecticut employers from knowingly employing aliens who were not entitled to lawful residence in the United States. First-time violations of the statute were punishable by a fine and repeat violations were treated as a class A misdemeanor. The repeal of these statutes became effective on June 11, 2014.

Child Pornography And Sex Offenders

PUBLIC ACT 14-192: AN ACT CONCERNING CHILD PORNOGRAPHY AND PROVIDING NOTICE TO THE CHIEF EXECUTIVE OFFICER OF A MUNICIPALITY UPON THE RELEASE OF A REGISTERED SEXUAL OFFENDER INTO SUCH MUNICIPALITY.

This Act makes technical amendments to existing child pornography criminal statutes (so as to clarify that digital and electronic formatted materials are covered) and requires the Department of Emergency Services and Public Protection [“DESPP”] to notify the chief executive officer of a municipality by e-mail whenever a registered sex offender is released into the municipality. The amendments to the child pornography criminal statutes become effective October 1, 2014. The DESPP municipal chief executive officer notification requirement took effect on July 1, 2014.



State-Wide Sexual Abuse and Assault Awareness Program

PUBLIC ACT 14-196: AN ACT CONCERNING A STATE-WIDE SEXUAL ABUSE AND ASSAULT AWARENESS PROGRAM.

This Act requires the Department of Children and Families, the Department of Education and Connecticut Sexual Assault Crisis Services, Inc., (or a similar entity) to develop a sexual abuse and assault awareness and prevention program for use by local and regional boards of education. The program must contain the following:

- (1) For teachers, instructional modules that may include, but are not limited to, (a) training regarding the prevention and identification of, and response to, child sexual abuse and assault, and (b) resources to further student, teacher and parental awareness regarding child sexual abuse and assault and the prevention of such abuse and assault;
- (2) For students, age-appropriate educational materials designed for children in grades K-12, inclusive, regarding child sexual abuse and assault awareness and prevention that may include, but are not limited to, (a) the skills to recognize child sexual abuse and assault, boundary violations and unwanted forms of touching and contact, and ways offenders groom or desensitize victims, and (b) strategies to promote disclosure, reduce self-blame, and mobilize bystanders; and
- (3) A uniform child sexual abuse and assault response policy and reporting procedure that may include, but not be limited to, (a) actions that child victims of sexual abuse and assault may take to obtain assistance, (b) intervention and counseling options for child victims of sexual abuse and assault, (c) access to educational resources to enable child victims of sexual abuse and assault to succeed in school, and (d) uniform procedures for reporting instances of child sexual abuse and assault to school staff members.

The Act permits parents and legal guardians to exempt their children from participation in all or part of the program by sending written notification to the board of education. If a student is exempted from participation, the board shall provide the student with the opportunity for alternative study or academic work. Boards of education must implement the finalized program by October 1, 2015.

IMPACT: Safe school climate and policy committees should consider amending current policies or create a new one to address the sexual abuse awareness program. Curriculum directors and administrators should assess and plan for impact of the program on curriculum.



Excused Absences from School for Children of Service Members

PUBLIC ACT 14-198: AN ACT CONCERNING EXCUSED ABSENCES FROM SCHOOL FOR CHILDREN OF SERVICE MEMBERS.

This Act amends the truancy statutes by creating a special category of excused absences for absences students incur in visiting parents or legal guardians who have been called to active duty or are on leave from military deployment to a combat zone or combat support posting. The Act provides that students will be granted up to ten excused absences for absences in connection with such purposes, and gives local and regional boards of education the discretion to grant additional excused absences if they so choose. The Act also states that students and their families are responsible for obtaining assignments from their teachers prior to any period of absence and making sure that such assignments are completed upon return to school.

IMPACT: Administrators and policy committees should consider amending truancy and attendance policies.

Bus Use of Merritt and Wilbur Cross Parkways

PUBLIC ACT 14-199: AN ACT CONCERNING REVISIONS TO THE TRANSPORTATION STATUTES.

Among other things, Section 15 of this Act expands the types of vehicles that are permitted to use the Merritt and Wilbur Cross Parkways to include service buses for students with special needs that are not more than 120 inches high, 90 inches wide and 280 inches long and increases the weight limit for schools buses from 9,600 to 10,000 pounds.

Waiver of Student Fishing License Fees

PUBLIC ACT 14-201: AN ACT CONCERNING YOUTH HUNTING AND FISHING LICENSES, REVISING CERTAIN HUNTING AND FISHING LICENSE FEES AND REQUIRING REGISTRATION BY HUNTING AND FISHING GUIDE SERVICES.

Effective January 1, 2015, this Act amends state law with respect to fishing licenses by providing that secondary school students may fish without a fishing license if they are participating in a school-sponsored instructional fishing event or field trip that is authorized, in writing, by the Commissioner of Energy and Environmental Protection.



End to the Special Education Hearing Pilot Program

PUBLIC ACT 14-207: AN ACT CONCERNING COURT OPERATIONS.

Effective October 1, 2014, this Act makes a series of changes to state court and judicial branch procedures. The Act is relevant to educators because it repeals an existing statute that permitted Connecticut's Chief Court Administrator to establish a pilot program for the resolution of special education contested "due process" cases. This pilot program was never established.

Converting SERC to a "Quasi-Public" Entity

PUBLIC ACT 14-212: AN ACT CONCERNING THE STATE EDUCATION RESOURCE CENTER.

This Act makes major changes to the legal status and authority of the State Education Resource Center ["SERC"]. Previously, SERC operated as a nonprofit agency established by the State Board of Education. SERC is primarily funded by the State Department of Education ["SDE"] and is designed to provide educators and community members with professional development services, educational practice resources and a centralized library of educational research.

This Act reconstitutes SERC as a quasi-public state agency. As such, SERC will gain legal designation as a political subdivision of the state and will have the power to borrow money, acquire property, enter into contracts, sue and be sued, adopt necessary by-laws and business and personnel policies, hold patents and carry out a number of other incidental functions in support of its mission. The Act specifies that SERC employees will not be state employees for purposes of collective bargaining.

The newly-reconstituted SERC will be overseen by a 13-member board of directors, to be appointed by the Governor, the State Board of Education and various legislative leaders. The board of directors will appoint an executive director who will be responsible for the day-to-day operations of SERC. The Act permits the commissioner of the SDE to allocate funds to SERC for professional development services, technical assistance and evaluation activities and policy analysis for local and regional boards of education, charter schools, the technical high school system and others.

The Act requires the newly-reconstituted SERC to continue operations of the Connecticut School Reform Resource Center and the Special Education Resource Center. The School Reform Resource Center is statutorily required to provide resources, information and programing on best practices for improving student achievement. The Act became effective upon its passage, but the first meeting of the new board of directors must be held by September 15, 2014.



Notice to Superintendent re: Sex Offenders

PUBLIC ACT 14-213: AN ACT PROVIDING NOTICE TO THE CHIEF EXECUTIVE OFFICER OF A MUNICIPALITY UPON THE RELEASE OF A REGISTERED SEXUAL OFFENDER INTO SUCH MUNICIPALITY.

This Act requires the Department of Emergency Services and Public Protection [“DESPP”] to e-mail the superintendent of the school district in which a registered sex offender resides or plans to reside whenever the registered sex offender changes his or her home address. The Act mirrors Public Act 14-192 by requiring DESPP to e-mail the chief executive officer of a municipality in which a registered sex offender resides or plans to reside whenever the registered sex offender changes his or her home address. The Act also requires DESPP to provide a municipality’s chief executive officer and superintendent of schools with all of the same registry information that DESPP makes available to the public on-line.

The “Implementer”

PUBLIC ACT 14-217: AN ACT IMPLEMENTING PROVISIONS OF THE STATE BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2015.

This Act is commonly referred to as the “Implementer” and addresses a number of education-related topics:

Related Issues And Desegregation Efforts

SECTIONS 89 THROUGH 119.

The Act incorporates the terms of the 2013 Stipulation and Order (i.e., settlement decree) in the Sheff v. O’Neill school desegregation case by 1) revising the definition of racial diversity so as to comply with the 2013 settlement decree, 2) limiting approval of applications for new magnet schools to schools that assist the State in the goals from this settlement, along with the goals from the earlier 2008 settlement decree, 3) limiting enrollment in current magnet schools to assist the State in meeting the goals contained in these settlement agreements, 4) amending the grants given to regional educational service centers for operating magnet schools, based upon schools with enrollments that are predominately from one school district, 5) prioritizing grants to magnet schools that are adding grades, moving into new permanent facilities, and assisting or opened to assist the State in meeting the afore-mentioned settlement agreements, 6) authorizing additional grants to the Dr. Joseph S. Renzulli Gifted and Talented Academy in Hartford and Sheff “lighthouse schools,” which include traditional neighborhood schools in Hartford that are being converted into lighthouse schools as provided under the 2013 agreement, 7) authorizing certain additional monies to newly approved charter schools that assist the State in meeting the goals in the previous settlement agreements, 8) in numerous statutes where the meeting of the 2008 settlement agreement goals are listed as a factor



(e.g., construction grants), updating them to include references to the 2013 agreement, and 9) providing state monies to cover the local share of the costs of the Greater Hartford Academy of Arts Elementary School, the Greater Hartford Academy of Arts Elementary School, and Two Rivers Magnet High School. This Act also caps at \$500,000 the share of the total magnet school appropriation that the State may retain for evaluation and administration.

Mastery Test Dates

SECTION 115.

Mastery examinations in reading, writing and math may take place during any month, no longer just March or April.

Notice of Court Orders for Victims of Sexual Assault, Stalking

SECTION 186.

Effective January 1, 2014, this section of the Act sets forth a new process for victims of sexual abuse, sexual assault or stalking to seek relief from the Superior Court. The Act provides if the person applying for such relief is enrolled in a public or private elementary or secondary school, including a technical high school, or an institution of higher education, the clerk of the court will, upon the request of the applicant, send (by fax or otherwise) a copy of any court orders to such school or institution of higher education at which the applicant is enrolled.

IMPACT: Administrators should be aware that the courts may send these orders directly to the school and should be prepared to respond appropriately.

Middle College And Early College High School Programs

SECTION 197.

This section of the Act provides that the Connecticut Employment and Training Commission shall develop a state-wide plan to implement, expand and/or improve contextualized learning programs, career certificate programs, middle college programs and early college high school programs in order to provide education, training and placement in jobs available in the manufacturing, health care, construction and green industries and other emerging sectors of the state's economy. The Commission is expected to report on this plan by January 1, 2015 to the General Assembly's higher education and employment advancement committee. The plan must also address how such programs will be funded. "Early college high school" means a school in which persons who are underrepresented in higher education (low income, first generation college, English language learners, minority students) may simultaneously earn tuition free a high school diploma and associate



degree or credit toward a bachelor's degree.

Additional School Readiness for Low-Income Families

SECTION 198.

This section of the Act provides that the Commission for Children shall develop a school readiness plan to promote long-term learning and economic success for low-income families. The plan will make recommendations for promoting access to high quality early childhood programs for low income children and providing the parents of such children with (1) the opportunity to acquire their high school diplomas, (2) adult education, and (3) technical skills to increase their employability and sustainable employment. The plan must also address how implementation of the plan will be funded. The Commission is expected to report this plan to the General Assembly by December 1, 2014.

Financial Literacy for Students

SECTION 199.

The section of the Act provides that the State Department of Education, the Board of Regents for Higher Education, and the Board of Trustees for the University of Connecticut, in consultation with the Department of Banking, may develop a plan to provide to each student of a public high school or a constituent unit, instruction in financial literacy, including, but not limited to, the impact of using credit cards and debit cards. Such instruction may occur during a student's final year of high school (or not later than a constituent unit student's completion of his or her second semester). The developers of the plan are expected to report to the General Assembly by January 1, 2015.

IMPACT: Curriculum directors and committees should be aware of this trendy topic.

Remedial Support and College Readiness

SECTION 209.

This section of the Act provides that no later than the start of the fall semester of 2015, if a public institution of higher education determines, by use of multiple commonly accepted measures of skill level, that a student is below the skill level required for success in college level work (even with supplemental support), the institution will offer such student one intensive semester of remedial support that (1) is designed to provide such student with the knowledge and skills necessary to be placed in an entry level course in a college level program, and (2) such student may repeat subject to the public institution of higher education's course repeat policy provided that such policy shall not prohibit a minimum of one repeat attempt. This portion of the Act also provides that the Board of



Regents for Higher Education may enter into a memorandum of understanding with the State Department of Education for the purpose of delivering a “transitional college readiness program” that will enable adults to enroll directly in a program of higher learning at an institution of higher education upon completion of such program.

Persons Authorized to Serve as School Security Personnel

SECTION 254.

This section of the Act expands the definition of “retired police officer” for the purposes of the law that permits towns and boards of education to employ school security personnel who possess a firearm in the performance of their duties. Now, in addition to state and local police who have retired in good standing, boards of education may also employ federal law enforcement officers or police officers from other states who have retired in good standing and meet or exceed the standards of the Police Officer Standards and Training Council for certification in Connecticut.

Emergency Vehicles and School Buses

PUBLIC ACT 14-221: AN ACT CONCERNING THE OPERATION OF EMERGENCY VEHICLES.

Effective October 1, 2014, this Act allows emergency vehicles to pass school buses displaying flashing red signal lights in specified circumstances. “Emergency vehicles” are generally defined under existing law as fire and police vehicles being operated in response to emergency situations. The Act allows emergency vehicles to pass school buses displaying flashing red signals so long as the driver of the emergency vehicle first proceeds to stop the vehicle before passing the bus, and then does not endanger life or property in subsequently passing the bus, and so long as the emergency vehicle is operating its siren and flashing lights.



Student Expulsion Records

PUBLIC ACT 14-229: AN ACT CONCERNING THE EXPUNGEMENT OF A PUPIL'S CUMULATIVE EDUCATION RECORD FOR CERTAIN EXPULSIONS.

This Act amends the expulsion statute (Connecticut General Statutes §10-233d) with respect to the expungement of expulsion records from students' cumulative education records. Specifically, the Act makes the following changes to existing law:

- The Act appears to divest boards of education of the discretion to shorten or waive the expulsion period (and expunge the notice of the expulsion) for students who have never been previously suspended or expelled but who are expelled based on possession of a firearm or deadly weapon. The Act is somewhat ambiguous on this point, because existing language in Connecticut General Statutes §10-233d that was not amended appears to contradict the new language in the Act by allowing boards of education to modify periods of expulsion for expulsions based on possession of a firearm or deadly weapon on a “case by case” basis.
- The Act requires boards of education to expunge expulsion records from the cumulative records of a student who is in the eighth grade or lower who have been expelled based on possession of a firearm or deadly weapon upon such a student's graduation from high school. Also, the Act gives boards of education the discretion to expunge expulsion records from the cumulative records of a student who is in eighth grade or lower who has been expelled based on possession of a firearm or deadly weapon prior to the students' graduation from high school if the student has demonstrated to the board conduct and behavior in the years following the expulsion that warrants expungement.

IMPACT: Districts should consider amending expulsion policies to conform to these changes.

School Nurse Access to Immunization Directory

PUBLIC ACT 14-231: AN ACT CONCERNING THE DEPARTMENT OF PUBLIC HEALTH'S RECOMMENDATIONS REGARDING VARIOUS REVISIONS TO THE PUBLIC HEALTH STATUTES.

This Act makes a number of mostly technical changes to the Department of Public Health [“DPH”] statutes. Of note to public and private school nurses is language in the Act that gives school nurses access to the DPH childhood immunization directory so that they may determine which children within their “jurisdiction” are overdue for scheduled immunizations, and so that they may provide outreach to help get such children properly vaccinated. This provision of the Act takes effect on October 1, 2014.

School Climate Plans

PUBLIC ACT 14-232: AN ACT CONCERNING THE REVIEW AND APPROVAL OF SAFE



SCHOOL CLIMATE PLANS BY THE DEPARTMENT OF EDUCATION AND A STUDENT SAFETY HOTLINE FEASIBILITY STUDY.

This Act requires local and regional boards of education that have not already had their safe school climate plans reviewed and approved by the State Department of Education [“SDE”] to submit proposed safe school climate plans to the SDE for review by September 1, 2014. The Act prescribes a SDE safe school climate plan review process that requires the SDE to accept or reject submitted plans within thirty calendar days and provides a mechanism for resubmitting and seeking approval of a subsequent revised proposed plan. In addition, the Act specifies that SDE approved safe school climate plan student assessment instruments include surveys that contain uniform grade-level appropriate questions that collect information about students’ perspectives and opinions about the school climate at the school and allow students to complete and submit such assessment and survey anonymously. This Act establishes a “safe travel to school” grant program and includes nonpublic schools as eligible recipients for school security infrastructure grants. Finally, the Act directs the Department of Emergency Services and Public Protection to study the feasibility of creating a student safety hotline.

Domestic And Teen Dating Violence And Sexual Assault

PUBLIC ACT 14-234: AN ACT CONCERNING DOMESTIC VIOLENCE AND SEXUAL ASSAULT.

Effective October 1, 2014, this Act amends several criminal statutes with respect to domestic violence and sexual assault issues and also amends the safe school climate plan statutes to require local and regional boards of education to address teen dating violence along with bullying. The Act defines “teen dating violence” as “any act of physical, emotional or sexual abuse, including stalking, harassing and threatening, that occurs between two students who are currently in or who have recently been in a dating relationship.” In addition, the Act amends existing law to require the State Department of Education to provide (within available appropriations) annual training to school employees, except designated-safe school climate certified staff, in the prevention, identification and response to teen dating violence along with bullying. The Act prohibits claims for damages against school boards, school employees, students, or parents who in good faith report or respond to bullying or teen dating violence.

IMPACT: Safe school climate committees should consider the need to amend safe school climate plans, bullying, student conduct and expulsion policies.



LABOR AND EMPLOYMENT

Minimum Wage Increase

PUBLIC ACT 14-1: AN ACT CONCERNING WORKING FAMILIES' WAGES.

This Act, which has already been signed by the Governor, increases the minimum wage from the current \$8.75 per hour to \$9.15 per hour on January 1, 2015, \$9.65 per hour on January 1, 2016 and \$10.10 per hour on January 1, 2017.

Prevailing Wage Compliance

PUBLIC ACT 14-44: AN ACT CONCERNING ELECTRONIC PREVAILING WAGE NOTICES, INFORMATION AND RECORDS.

This Act, which takes effect on July 1, 2015, will permit certain “prevailing wage” act notices, information and records (including certified payroll records) to be provided or maintained electronically.

Budget “Implementer” Re: A New Retirement Plan, And Bonds To Pay Unfunded Pension Obligations

PUBLIC ACT 14-217: AN ACT IMPLEMENTING PROVISIONS OF THE STATE BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2015.

Among other things, Section 180-185 of the so-called budget “implementer” creates the Connecticut Retirement Security Board and requires it to 1) conduct a feasibility study on implementing a “public retirement plan” and 2) develop by April 1, 2016 a comprehensive proposal for implementing the plan that must include certain goals and features. Section 219 of the Act allows municipalities to issue bonds to pay for unfunded past pension obligations. If a municipality issues such bonds, it must appropriate money for, and contribute to its pension plan, at least the actuarially required contribution in each fiscal year that it has outstanding bonds for the plan. This Act makes members of the UConn and UConn Health Center Police Departments “unclassified” (instead of “classified”) state employees.



Income Tax Exemption for Teacher Retirement Benefits

PUBLIC ACT 14-47: AN ACT MAKING ADJUSTMENTS TO STATE EXPENDITURES AND REVENUES FOR THE FISCAL YEAR ENDING JUNE 30, 2015.

In addition to making adjustments in next year's budget, Section 50 of this Act exempts a portion of the state teachers' retirement system ["TRS"] income from income tax, specifically by allowing taxpayers to deduct/exclude from gross income 10 percent of TRS income for the 2015 tax year, 25 percent for the 2016 tax year, and 50 percent for 2017 and subsequent tax years.

Reemployment of "Older" Workers

PUBLIC ACT 14-225: AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE LEGISLATIVE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE ON THE REEMPLOYMENT OF OLDER WORKERS AS THEY RELATE TO THE LABOR DEPARTMENT.

This Act requires the Connecticut Employment and Training Commission (commencing October 1, 2014) to coordinate an electronic state hiring campaign to encourage the reemployment of workers 50 years of age or older, to be administered through the Connecticut Department of Labor's website. Among other things, this Act also requires the Department to develop or approve by January 1, 2015: 1) a one-page quick-reference guide summarizing the public and private resources available for unemployed workers 50 years of age or older within the state, and 2) an informational campaign to distribute to Workforce Investment Boards, CTWorks One Stop Career Centers and similar job centers within the state that will include a description of the program of apprentice training maintained in the Department.

Paid Sick Leave Amendments

PUBLIC ACT 14-128: AN ACT CREATING PARITY BETWEEN PAID SICK LEAVE BENEFITS AND OTHER EMPLOYER-PROVIDED BENEFITS.

This Act, which takes effect on January 1, 2015: 1) adds "radiological technologists" to those employees covered under Connecticut's paid sick leave law, 2) allows employers to calculate benefits under the law based upon a 365 day period, instead of mandating a calendar year period, 3) determines whether an employer meets the 50 employee minimum threshold for coverage under the law based upon the number of employees in the week containing October 1, and 4) specifically prohibits an employer from terminating or transferring any employee solely in order to avoid meeting the 50 employee threshold for coverage under the law.



Workers' Compensation and Medical Treatment

PUBLIC ACT 14-167: AN ACT CONCERNING WORKERS' COMPENSATION AND LIABILITY FOR HOSPITAL AND AMBULATORY SURGICAL CENTER SERVICES.

This Act makes certain changes regarding employer liability under the Workers' Compensation Act for hospital services. Specifically, instead of paying for the costs of actual services rendered (or a discount rate that may have been negotiated between the carrier and the provider), this Act requires the Workers Compensation Commission to establish by January 1, 2015 Medicare-based rates for payments for hospital services, along with services rendered at ambulatory surgical centers.

Miscellaneous Department Of Labor Revisions

PUBLIC ACT 14-42: AN ACT CONCERNING THE CONNECTICUT EMPLOYMENT AND TRAINING COMMISSION AND AMENDMENTS TO THE DEPARTMENT OF LABOR STATUTES.

This Act, which takes effect upon passage, updates and makes technical changes to Connecticut Department of Labor statutes and repeals outdated reporting requirements (specifically as to the Office of Workforce Competitiveness). However, this Act also expands certain Connecticut Employment and Training Commission job placement program reporting requirements, and mandates procedures for sharing information among the Department of Labor, the Department of Social Services, and the CT Health Insurance Exchange regarding eligibility for certain public assistance programs.

