

2015 Education Legislative Update

*East Hartford Public
Schools*

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Public Acts Affecting

PUBLIC SCHOOL STUDENTS



Graduation Requirements

(Public Act 15-237, Effective July 1, 2015)

- Delays implementation of graduation requirements previously set to begin with the Class of 2020—will now take effect for Class of 2021
- New task force will study alignment of changes to high school graduation requirements with Common Core and feasibility of requiring training in cardiopulmonary resuscitation as part of the requirements
- Boards can now grant credit for student work toward meeting the graduation requirements upon successful completion of coursework earned either during the school year or during the summer months at an institution accredited by the Board of Regents for Higher Education or Office of Higher Education
- State Board of Education must now award a community service recognition award to any student who satisfactorily completes fifty hours or more of community service



Mastery Testing

(Public Act 15-238, Effective from passage)

- By January 1, 2016, State Board of Education, in consultation with a newly formed Mastery Examination Committee, must enter into an agreement with the provider of a nationally recognized college readiness assessment for the provision and administration of a college readiness assessment as part of the 11th grade mastery examination requirement
- New requirement contingent on the assessment provider offering accommodations for students with disabilities and for those who are English language learners and the agreement being permitted by federal law or the terms of Connecticut's waiver of the Elementary and Secondary Education Act



Mastery Testing by Grade Levels

- Grades 3-8 to measure essential and grade-appropriate skills in reading, writing or mathematics
- Grades 5, 8 and 10 to measure essential and grade-appropriate skills in science
- Grade 11 to measure essential and grade-appropriate skills in reading, writing and mathematics to be paid for by State Board of Education but administered by provider of a nationally recognized college readiness assessment



Mastery Examination Committee

- Mastery Examination Committee to be within the State Department of Education
- Committee tasked with examining the impact of the statewide mastery examination on a variety of factors
- Committee must examine alternative formats or alternative methods of delivery of the exam in order to reduce the amount of time students spend taking the exam



Mastery Examination and ELL Students

(Special Session Public Act 15-5, Section 295)

- Beginning with the 2015-2016 school year:
 - ❖ Scores on each component of the mastery examination for ELL students enrolled in school in Connecticut or another state for less than twenty school months will not be used in calculating the school or district performance indices
 - ❖ Mastery examinations to be offered in most common native language of ELL students and other native languages in which tests have been developed and approved



New Instructional Program Subjects

(Effective July 1, 2015)

- Districts must now include in their program of instruction:
 - Cardiopulmonary resuscitation (Public Act 15-94, effective July 1, 2016)
 - Safe use of social media (Public Act 15-94, effective July 1, 2016)
 - Computer programming (Public Act 15-94, effective July 1, 2016)
- SDE will develop curriculum and materials and assist and encourage districts to include as part of their program of instruction:
 - Labor history and law (Public Act 15-17, effective July 1, 2015)
 - Financial literacy (Public Act 15-138, effective October 1, 2015)
- Additionally: Districts must prescribe rules regarding internet access and content as part of regulation of school library media centers (Public Act 15-215, Section 17)



Student Internships

(Public Act 15-215, Section 10, Effective July 1, 2015)

- Provides immunity against negligence claims for internship providers that provide internships for students enrolled in agricultural science and technology education centers
 - ❖ Immunity available as long as the internship provider exercised reasonable care, complied with safety and health standards, and did not engage in gross, reckless, willful or wanton negligence
- Internship defined as supervised practical training of a student intern comprised of curriculum and workplace standards approved by the Department of Education and the Labor Department
- Internship provider defined as a person who provides an internship to a student intern pursuant to an agreement with a local or regional board of education



Out-of-School Suspensions and Expulsions for Students in Preschool and K-2

(Public Act 15-96, Effective July 1, 2015)

- Generally a moratorium on out-of-school suspensions and expulsions for students in preschool to grade 2 with limited exceptions
- Suspensions:
 - ❖ All suspension rules for students in **grades 3 through 12** remain same (including analysis for determining ISS vs. OSS)
 - ❖ But, students in **preschool through grade 2, inclusive**, may only receive ISS, unless, after an informal hearing, the administration determines that an OSS is appropriate based on evidence that the student's conduct **on school grounds** is of a **violent or sexual nature that endangers persons**



Out-of-School Suspensions and Expulsions for Students in Preschool and K-2 (cont.)

- Expulsions:
 - ❖ All expulsion rules remain the same for students in **grades 3 through 12, inclusive**.
 - ❖ Students in **kindergarten through grade 12, inclusive**, are still subject to current mandatory expulsion provisions
 - ❖ Possession of a firearm or deadly weapon, dangerous instrument or martial arts weapon on school grounds or at a school sponsored activity; possession and use a firearm, instrument or weapon in the commission of a crime; or sale or distribution of a controlled substance on or off school grounds



Out-of-School Suspensions and Expulsions for Students in Preschool and K-2 (cont.)

- Expulsions (cont.)
 - ❖ Discretionary expulsions are permitted only for students in **grades 3 through 12, inclusive**
 - ❖ Generally, **preschool children** may not be expelled; however, expulsion is mandatory if the preschool child is in possession of a firearm on or off-school grounds or at a school-sponsored event



Public Act 15-96 cont.

- Early detection and prevention programs funded by grants from SDE must now include systematic early detection and screening to identify children experiencing behavioral and disciplinary problems, in addition to early school adjustment problems
- Grant applications must now include the number of children in grades K-2 experiencing behavioral, disciplinary and early school adjustment problems



Public Acts Affecting

SCHOOL DISTRICT OPERATION



Minimum Budget Requirement

(Public Acts 15-99, 15-215, Section 19, Special Session Public Act 15-5, Section 511, Effective July 1, 2015)

- MBR renewed for 2016 and 2017 so that budgeted appropriation from the municipality cannot be less than the budgeted appropriation for prior year with some exceptions
- Previous law permitted town to reduce budgeted appropriation for education due to decreased school enrollment or savings through increased efficiencies, but not both
- Additionally, if town receives increase in state education cost sharing aid, MBR will increase over the previous year by the amount of the increase in aid



New ways for Town to Reduce MBR

1. Town now permitted to reduce its appropriation for education because of both decreased enrollment and increased efficiencies, rather than only permitting a reduction for one or the other
2. Commissioner of Education may permit a town, for the fiscal years ending June 30, 2016 and June 30, 2017, to reduce its appropriation for education in an amount determined by the Commissioner if the school district in the town has permanently ceased operations and closed one or more schools in the fiscal years ending June 30, 2013 through June 30, 2016
3. Raised cap on per-student reduction permitted for decreased enrollment from \$3,000 per student to 50% of the net current expenditure per student
4. Two-tiered system for MBR reductions for towns based on declining enrollment. Districts with 20% or more of students who qualify for free and reduced price lunch may reduce their MBR by up to 1.5%. Districts with fewer than 20% of students qualifying for free and reduced price lunch may reduce their MBR by up to 3%. Districts in either tier, however, may be permitted to further reduce their MBR over these percentages if the Commissioner of Education approves and if the board of education vote to approve.



Minimum Budget Requirement

- High performing school districts with district performance index scores in the top 10% of the state exempt from MBR
- Certain member towns of a regional school district exempt
 - ❖ For the fiscal years ending June 30, 2016 and June 30, 2017, during the first full fiscal year following a regional district's establishment, member towns of the newly formed regional school district will be exempt from MBR as long as the budgeted appropriations for education for member towns for each subsequent fiscal year is determined to meet the MBR
- Current and former alliance district towns are specifically prohibited from taking advantage of the MBR relief for fiscal years ending June 30, 2016 and June 30, 2017



Collaboration Between Boards of Education and School Resource Officers

(Public Act 15-168 & Special Session Public Act 15-5, Section 342, Effective July 1, 2015)

- Local and regional boards of education with school resource officers in their schools must now enter into a memorandum of understanding (MOU) with a local law enforcement agency regarding the role and responsibility of these school resource officers
- MOU must include provisions addressing daily interactions between students and school personnel with school resource officers and must include a graduated response model for student discipline



School Resource Officers (cont.)

- Law now defines school resource officer as a sworn police officer of a local law enforcement agency who has been assigned to a school pursuant to an agreement between the local or regional board of education and the chief of police of a local law enforcement agency



School Resource Officers (cont.)

- Strategic school profile reports must now include information on measures of in-school suspensions, out-of-school suspensions, expulsions and school-based arrests
- SDE must annually examine data submitted as part of strategic school profile reports relating to these new areas and must disaggregate the data based on school, race, ethnicity, gender, age, students with disabilities, ELLs, students eligible for free/reduced lunch, types of offenses for school-based arrests and the number of school-based arrests within each District and publish the report on SDE's website
- Data relating to schools in the statewide public school information system must now include disaggregated measures of school-based arrests



DCF Reporting Requirements

(Public Act 15-205, Effective October 1, 2015)

- Currently, law requires school employees to report to DCF when, in the ordinary course employment, school employee has reasonable cause to suspect or believe that a child under age 18 has been abused or neglected
- School employees must now also report, when, in the ordinary course of employment, school employee has **reasonable cause to suspect or believe that a person being educated by a local or regional board of education is a victim of sexual assault and the perpetrator is a school employee**
- New requirement applies whether or not the student is under 18
 - ❖ However, reporting not required if student is over eighteen and attending an adult education program



DCF Reporting Requirements

- New statutory factors for mandated reporter to consider in determining if there is **reasonable cause** to report may include, but are not limited to:
 - ❖ Observations
 - ❖ Allegations
 - ❖ Facts or statements by a child, victim or third party
- Law explicitly provides that suspicion or belief does **NOT** require certainty or probable cause



DCF Reporting Requirements

- On or before February 1, 2016, **BOE policies on DCF Reporting must be updated** to include mandatory reporting whenever a school employee has reasonable cause to suspect or believe a person being educated by the BOE is a victim of sexual assault and the perpetrator is a school employee
 - ❖ Additionally: mandated reporting laws changed to reference a “victim,” defined as a student enrolled in a technical high school or a school under the jurisdiction of a local or regional board of education who is the victim of sexual assault by a school employee



DCF Reporting Requirements

- **New Reporting Requirements effective July 1, 2015 regarding DCF Training:**
 - ❖ Principal for each school in a local or regional board of education must **annually** certify to the Superintendent that each school employee working at the school is in compliance with the requirements for DCF training and refresher training
 - ❖ Superintendent must then certify compliance to the State Board of Education



DCF

- Not later than January 1, 2016, each BOE must develop a **Confidential Rapid Response Team** to:
 - ❖ Coordinate with DCF to ensure prompt reporting of suspected abuse and neglect or sexual assault against a victim and to take immediate action to investigate
 - ❖ Provide immediate access to information and individuals relevant to the DCF investigation
- **Confidential Rapid Response Team** must include:
 - ❖ A teacher
 - ❖ Superintendent
 - ❖ Local Police Officer
 - ❖ Any other person the BOE deems appropriate



DCF

- Local or regional board now prohibited from employing a person:
 - ❖ Whose employment contract was terminated or who resigned from employment following a suspension if the person is subsequently convicted of a crime involving an act of child abuse or neglect; or
 - ❖ Who was previously terminated due to a violation of the mandatory reporting laws, regardless of whether abuse or neglect or sexual assault was substantiated



DCF Reporting

- Mandated reporter who fails to report now guilty of a Class E felony if:
 - ❖ Not the first time mandated reporter has failed to report;
 - ❖ Violation is wilful or intentional, or due to gross negligence; or
 - ❖ Mandated reporter had actual knowledge the child was being abused or neglected or that the victim was sexually assaulted by a school employee
- Person who intentionally and unreasonably interferes with or prevents the making of a report or attempts or conspires to do so is now guilty of a class D felony



Alternative Education

(Public Act 15-133, Effective July 1, 2015)

- Local and regional boards of education
 - ❖ May provide alternative education to students in an existing space or by establishing a new school specifically for alternative education
 - ❖ Must provide information relating to alternative education on their websites, including, but not limited to the purpose, location, contact information, staff directory and enrollment criteria
 - ❖ Alternative education must be in accordance with forthcoming state guidelines
- State Department of Education must develop guidelines including, but not limited to:
 - ❖ A description of the purpose and expectations of alternative education
 - ❖ Criteria for eligibility to receive alternative education
 - ❖ Criteria for how and when a student may enter or exit alternative education



Chronic Absenteeism

(Public Act 15-225, Effective July 1, 2015)

- By January 1, 2016, the State Department of Education must develop a chronic absenteeism prevention and intervention plan for use by local and regional boards of education to reduce chronic absenteeism
- Effective July 1, 2015, local and regional boards of education are required to establish **Attendance Review Teams** in circumstances described in the new law
- Local and regional boards must provide information regarding the number of truants and chronically absent students in each school's strategic school profile report



Chronic Absenteeism

- **Attendance Review Team**

- ❖ Required at district level and/or school level only in certain circumstances
- ❖ Must meet at least monthly
- ❖ May consist of school administrators, guidance counselors, school social workers, teachers and representatives from community-based programs
- ❖ Responsible for reviewing cases of truants and chronically absent children, discussing school interventions and community referrals for truants and chronically absent children and making recommendations



Chronic Absenteeism

- **District Attendance Review Team** required when:
 - ❖ District chronic absenteeism rate of 10% or higher
- **School Attendance Review Team** required when:
 - ❖ School in district has a chronic absenteeism rate of 15% or higher
- District may establish either **District Attendance Review Team** OR **School Attendance Review Team** at each affected school if:
 - ❖ District has more than one school with a school chronic absenteeism rate of 15% or higher
 - ❖ District has a chronic absenteeism rate of 10% or higher **and** one or more schools with a school chronic absenteeism rate of 15% or higher



Chronic Absenteeism

- **District chronic absenteeism rate** means:
 - ❖ The total number of chronically absent children under the jurisdiction of a local or regional board of education in the previous school year divided by the total number of children under the jurisdiction of the board for that school year
- **School chronic absenteeism rate** means
 - ❖ The total number of chronically absent children for a school in the previous school year divided by the total number of children enrolled in the school for that school year



Chronic Absenteeism

- **Chronically absent child** means:
 - ❖ A child whose total number of absences at any time during a school year is equal to or greater than 10% of the total number of days that the student has been enrolled at the school during the school year
- **Absence** means:
 - ❖ An excused absence, unexcused absence or disciplinary absence or an in-school suspension that is greater than or equal to one-half of a school day



In-Service Trainings

(Public Acts 15-97, 15-232 , 15-108 and Special Session Public Act 15-5, Section 292)

- New areas to be included in teacher in-service trainings:
 - ❖ Cultural competency (Public Act 15-108, effective July 1, 2015)
 - ❖ Detection and recognition of, and evidence-based structured literacy interventions for students with dyslexia (Public Act 15-97, effective July 1, 2015)
- Within appropriations and with available materials, SDE must assist and encourage Districts to include:
 - ❖ “Trauma-informed practices for the school setting to enable teachers, administrators and pupil personnel to more adequately respond to students with mental, emotional, or behavioral health needs” (Public Act 15-232, effective October 1, 2015)
 - ❖ Second language acquisition, including language development and culturally responsive pedagogy (Special Session Public Act 15-5, Section 292, effective July 1, 2015)



Professional Development and Evaluation Committee

(Public Act 15-215, Section 11, Effective July 1, 2015)

- New law provides that PDEC should consist of:
 - ❖ At least one teacher selected by the exclusive bargaining representative for certified teachers
 - ❖ At least one administrator selected by the exclusive bargaining representative for certified employees; and
 - ❖ Such other school personnel as the board deems appropriate.
- Previously, the statute provided that the committee should consist of certified employees and such other school personnel as the board deems appropriate



Preschool Programs

(Public Act 15-134, Effective July 1, 2015)

- By July 1, 2017, preschool programs operated by a local or regional board of education, RESC, or a state or local charter school will be required to obtain accreditation from the National Association for the Education of Young Children (NAEYC)
- Implementation of stricter staff qualifications postponed until July 1, 2017
- By January 1, 2016, the Office of Early Childhood must develop plan to assist early childhood education providers with implementing the stricter staff qualifications
- Local and regional boards of education must include the preschool experience survey in kindergarten registration materials



Magnet School Enrollment Notification

(Public Act 15-215, Section 9, Effective July 1, 2015)

- Maintains requirements for magnet schools to alert school districts otherwise responsible for educating a student that the student will be enrolled under an interdistrict magnet school under the operator's control by May 15th of each year
- New requirement that not later than two weeks following an enrollment lottery, parents or guardians of a student who will enroll in the interdistrict magnet school for the following school year or who is placed on a waiting list for enrollment must provide written notification to the District in which the student resides and that is otherwise responsible for educating the student



Indemnification Statute

(Public Act 15-215, Effective July 1, 2015)

- **Teacher mentor or reviewer** added to Connecticut General Statutes § 10-235 as covered employees who are indemnified by a local or regional board of education
- Teacher mentor or reviewer's conduct may not be wanton, reckless or malicious
- Teacher mentor or reviewer must have been acting in the discharge of his or her duties or within the scope of employment or under the direction of the BOE



SNAP Program (Public Act 15-215, Effective July 1, 2015)

- By October 1, 2015, SDE is required to provide information about the supplemental nutrition assistance program (SNAP) to local and regional boards of education, including:
 - ❖ How individuals qualify for the program
 - ❖ Where to obtain applications
 - ❖ Where to get help completing applications
- During the 2015-16 school year, districts must use information provided by the SDE to provide notice to parents and students about SNAP



Pesticide Application

(Special Session Public Act 15-5, Effective October 1, 2015)

- Current law: parents and staff may register to receive prior notice of pesticide application
- Effective Oct 1, for schools without an integrated pest management plan, prior notice must be sent via email
- Notice for schools with integrated pest management plans must include information about the target pests



Pesticide Application (cont.)

- Districts must provide at least 24 hour notice of the application of a pesticide either on the school's homepage or on the school or district's primary social media account
- Districts must indicate on homepage how parents can register for prior written notice
- By March 15 of each year, districts must send through email notification system
 - ❖ Specific information about each application since January 1 of that year
 - ❖ A listing of the notices for applications made between Mar 15 and Dec 31 of the preceding year



Pesticide Application (cont.)

- Specific information must include:
 - ❖ Name of the active ingredient of the pesticide
 - ❖ Target pest
 - ❖ Location of the application on school property
 - ❖ Date of the application
 - ❖ Name of school official who can be contacted for more information
- Must print required email notification in parent handbooks or manuals, although not required to reprint for this purpose



Public Acts Resulting in

MISCELLANEOUS CHANGES AFFECTING SCHOOLS



Extension of School Security Grant Program

(Public Act 15-5, Effective from passage)

- School security infrastructure competitive grant program extended an additional year until June 30, 2016
- Grant program reimburses a town for certain expenses related to school security including development or improvement of the school security infrastructures of schools based on the results of school building security assessments
- Funds may be used for:
 - ❖ Installation of surveillance cameras, penetration resistant vestibules, ballistic glass, solid core doors, double door access, computer-controlled electronic locks, entry door buzzer systems, scan card systems, panic alarms, real time interoperable communications and multimedia sharing infrastructure or other systems
 - ❖ Training of school personnel in the operation and maintenance of the security infrastructure of school buildings or the purchase of portable entrance security devices



Employee Online Privacy

(Public Act 15-6, Effective October 1, 2015)

- No employer may request or require that an employee or applicant:
 - ❖ Provide the employer with a username and password or any other authentication means for accessing the employee or applicant's personal online account
 - ❖ Authenticate or access a personal online account in the presence of the employer
 - ❖ Invite such employer or accept an invitation from the employer to join a group affiliated with any personal online account of the employee or applicant



Employee Online Privacy

- Employer may not discharge, discipline, discriminate against, retaliate against or otherwise penalize any employee, or refuse to hire an applicant, who refuses to:
 - ❖ Provide a username or password or other authentication means
 - ❖ Authenticate an account in front of the employer
 - ❖ Accept an invitation from the employer
 - ❖ Permit the employer to join a group affiliated with any personal account of the employee or applicant
- Cannot take action against employee who files a complaint verbally or in writing against the employer for violating the new law



Employee Online Privacy

- However, employer may request or require that an employee or applicant provide the employer with the username and password and other authentication means for accessing any account or service if:
 - ❖ Account or service is provided by the employer or the employee uses the account for the employer's business purposes
 - ❖ Device used is supplied by or paid for by the employer
- Employer may investigate to ensure compliance with laws and prohibitions against workplace misconduct upon receipt of specific information regarding an employee's or applicant's personal online account
 - ❖ May require an employee/applicant to allow employer access to personal account, but may not require disclosure of username or password
- Employer may also discharge, discipline or penalize an employee or applicant who transfers business information to a personal online account



Pooling into State Employee Health Plan

(Public Act 15-93, Effective from passage)

- Only goes into effect if approved by SEBAC
- Comptroller now permitted to offer coverage under state employee health insurance plan to nonstate public employers and their employees in order to pool employees into the state plan
- May also offer to retirees
- Once enrolled, must stay in for 3 year period minimum
- Premium payments for the coverage must be remitted to the Comptroller and will be the same as those paid by the state
- Comptroller can charge an administrative fee on a per member, per month basis



Pooling into State Employee Health Plan

- Previously, nonstate public employers only permitted to join the state employee plan if the entire employee pool of the nonstate public employer joined the plan
- Now a nonstate public employer may enroll only some of its employees in the state employee plan with approval from state's Health Care Cost Containment Committee
- Under the law, state pooling plan is a **mandatory subject of bargaining** subject to binding arbitration



Municipal Communications Regarding Referenda

(Public Act 15-173, Effective from passage)

- Clarifies the authority of regional school districts with respect to the preparation, printing and dissemination of concise explanatory texts
- Internet web sites maintained by municipality or regional school district are not deemed “community notification systems”
- The maintenance of a third party comment posted on social media or on a website maintained by state, municipality or regional school district permitting such comments shall not constitute an expenditure of state or municipal funds



Supplemental Open Choice Transportation Grants

(Special Session Public Act 15-5, Section 255, Effective July 1, 2015)

- Local and regional boards of education may now receive supplemental transportation grants for the Open Choice program beyond the statutory per pupil grant
- Previously, such supplemental grants were only available to RESCs
- For purposes of these grants, the number of students transported will now be determined on October 1, rather than September 1



Accountability and Performance

(Special Session Public Act 15-5, Sections 326-27, Effective July 1, 2015)

- The new creates a new “performance index,” and “accountability index”
 - ❖ Performance index: based on mastery data
 - ❖ Accountability index: based on multiple student, school or district-level measures
 - ▶ Must include the performance index and graduation rates
 - ▶ May include academic growth, attendance and chronic absenteeism, postsecondary education and career readiness, enrollment/graduation from college, civics and arts education and physical fitness
 - ▶ SDE will determined how measures are weighted



Accountability and Performance (cont.)

- Abandons previous school performance and district performance indices and corresponding subject matter performance indices
- Alliance districts and reform districts will now be determined by the accountability index



Public Acts Affecting

SPECIAL EDUCATION, MEDICAL ISSUES AND BILINGUAL/ELL PROGRAMS



Seclusion and Physical Restraint

(Public Act 15-141, Effective July 1, 2015)

- **SDE will be issuing guidance on its interpretation of new law**
- Many requirements of prior law still exist. Changes include the following:
 - ❖ Applies to regular education students as well as special education students
 - ❖ No school employee may use a physical restraint on a student *or place a student in seclusion* except as emergency intervention to prevent immediate or imminent injury to the student or to others
 - ❖ Prone restraints prohibited
 - ❖ Only school employees with appropriate training may physically restrain or place a student in seclusion



Seclusion & Physical Restraint (cont.)

- ❖ Must notify parent or guardian of student placed in physical restraint or seclusion within 24 hours
- ❖ **BUT** must make reasonable effort to notify parent immediately after restraint or seclusion initiated
- ❖ Must provide training to school employees including paraprofessionals and administrators over a three year period, beginning July 1, 2015. All school professional staff and paraprofessionals to be trained by 2019.



Seclusion and Physical Restraint (cont.)

- ❖ Local and regional boards required by July 1, 2015 and annually thereafter to identify in each school a **Crisis Intervention Team** consisting of school professionals, paraprofessionals and administrators trained in the use of restraint and seclusion
- ❖ Teams must respond to incidents in which it may be necessary to restrain or seclude a student



Seclusion and Physical Restraint (cont.)

- ❖ Area of seclusion must have window or fixture allowing a clear line of sight beyond area of seclusion
- ❖ Injuries due to restraint or seclusion must be reported to State Board of Education
- ❖ Board must establish policies and procedures regarding monitoring and internal reporting; policies and procedures to be available on district website and in procedures manual



Seclusion and Physical Restraint (cont.)

- If restraint or seclusion lasts more than 15 minutes:
 - ❖ Administrator or designee, school health or mental health employee or BCBA who has received training in restraint or seclusion must determine whether continued restraint or seclusion is necessary to prevent immediate or imminent injury to the student or others
- If necessary to continue restraint or seclusion:
 - ❖ New determination must be made every 30 minutes



Seclusion and Physical Restraint (cont.)

- Whenever physical restraint or seclusion used on a student **4 or more times within 20 school days**:
 - ❖ Regular education student:
 - ▶ Administrator, at least one teacher, parent and, if any, mental health professional must meet, conduct or revise behavioral assessment of student and behavior intervention plan and determine whether student requires referral to special education
 - ❖ Special education student (or pending evaluation):
 - ▶ PPT must convene to conduct or revise behavioral assessment and create or revise any applicable BIP, including, but not limited to student's IEP



Seclusion and Physical Restraint (cont.)

- State Department of Ed required to establish pilot program to be implemented in various districts to examine incidents of restraint and seclusion and compile and analyze data
- Beginning July 1, 2016, boards of education must:
 - ❖ Record each instance of the use of physical restraint or seclusion on a student
 - ❖ Specify nature of emergency requiring the restraint or seclusion (and whether seclusion was used pursuant to an IEP)
 - ❖ Create and include such info in an annual compilation of data
 - ❖ Provide the compilation to the SDE for purposes of the pilot program



Special Education Bill of Rights

(Public Act 15-209, Effective July 1, 2015)

- Upon initial identification and at each PPT meeting, Districts must provide parents information created by the SDE about transition resources and services for high school students
- By July 1, 2015, the State Board of Education must create a “bill of rights” for parents of students with disabilities relating to transition resources and services, which districts must provide to parents at PPT meetings for students in grades 6-12
- The bill of rights must inform parents of the following:
 - ❖ Right to request consideration of transition services for students aged 18-21
 - ❖ Right to receive transition resources and materials from the SDE and Districts
 - ❖ Requirement that Districts create a student success plan beginning in grade 6 under Conn. Gen. Stat. § 10-221a
 - ❖ Right of child to receive realistic and specific post-graduation goals as part of IEP



Transition Information and Resources

(Special Session Public Act 15-5, Section 266, effective July 1, 2015)

- State Board of Education, in collaboration with the Bureau of Rehabilitation Services, the Department of Developmental Services and the Office of Workforce Competitiveness, must develop a fact sheet listing the state agencies that provide transition resources, services and programs
- Beginning with the **2016-2017** school year, districts must provide this fact sheet to parents at PPT meetings for students in grades 6-12



Paraprofessionals at PPT Meetings

(Special Session Public Act 15-5, Section 277, effective July 1, 2015)

- Parents now have the right to have the “school paraprofessional assigned to” their child, if any, attend and participate in PPT meetings
- Districts must now also provide parents information at PPT meetings about their right to have advisors and paraprofessionals attend PPT meetings
- **NOTE: Consider**
 - ❖ Scheduling impacts
 - ❖ Necessary training regarding PPT process and meetings



Students with Dyslexia

(Public Act 15-97, Effective July 1, 2015)

- Extends to January 1, 2016, the deadline for the SDE to develop or approve reading assessments for use by Districts in identifying students K-3 who are below proficiency in reading; such assessments must now also assist in identifying students with dyslexia or other reading disabilities
- Requires school district in-service programs to provide information on “the detection and recognition of, and evidence-based structured literacy interventions for, students with dyslexia”
- Requires the Commissioner of Education to designate an SDE employee to be responsible for providing information and assistance to Districts and to parents or guardians of students relating to the detection and recognition of and evidence-based structured literacy interventions for students with dyslexia
- Requires teacher preparation programs to include instruction in structured literacy interventions in addition to instruction in the detection and recognition of students with dyslexia



Vaccination Exemptions

(Public Acts 15-174 and 15-242, Section 68, Effective July 1, 2015)

- Changes law with regard to claim of religious exemption:
 - ❖ Parent or guardian may now present a statement from parent or guardian stating that immunization contrary to the religious beliefs of child or parent
 - ❖ Statement is now required to be acknowledged by judge, family support magistrate, clerk or deputy clerk of court having a seal, town clerk, notary public, justice of the peace, an attorney admitted to the CT bar, or a school nurse
- Parent or guardian must now present statement **prior to enrollment** for child to be permitted to enroll and **again prior to Grade 7** in order for child to remain enrolled in school



Vision, Audiometric and Postural Screenings

(Public Act 15-215, Section 4, Effective July 1, 2015)

- New requirements for Vision Screenings:
 - ❖ Kindergarten, grade 1 and grades 3-5
 - ❖ (Formerly K-6 and grade 9)
- New requirements for Audiometric Screenings:
 - ❖ Kindergarten, grade 1 and grades 3-5
 - ❖ (Formerly K-3 and grade 5 and grade 8)
- New requirements for Postural Screenings:
 - ❖ Female students in grades 5 and 7
 - ❖ Males students in grades 8 or 9
 - ❖ (Formerly all students in grades 5-9)



Vision, Audiometric and Postural Screenings (cont.)

- Maintains requirement that Superintendent provide a brief statement to parents describing defect or disease if student found to have a defect in vision, hearing or posture
- New requirement that Superintendent provide a brief statement to parent if the student does not receive the required screening in vision, hearing or posture explaining why the student did not receive the screening



Administration of Antiepileptic Medication

(Public Act 15-215, Section 22, effective July 1, 2015)

- School nurse and school medical advisor (if any) must select a qualified school employee to administer antiepileptic medication to students with medically diagnosed epileptic conditions requiring prompt treatment in accordance with the student's individual seizure action plan
 - ❖ Must have written authorization from parent and written order from physician
 - ❖ Qualified school employee must be supervised by nurse and may act only in absence or unavailability of school nurse
 - ❖ Qualified school employee must voluntarily agree to serve in that role
- Qualified school employee means:
 - ❖ Principal, teacher, licensed athletic trainer, licensed PT or OT employed by the district, coach or paraprofessional



Administration of Antiepileptic Medication (cont.)

- Qualified school employee must complete annual training
- School nurse and school medical advisor, if any, required to attest in writing that qualified school employee completed the training
- Qualified school employee must receive monthly reviews by the school nurse to confirm the qualified school employee's continued competency to administer the medication
- SDE tasked with creating antiepileptic medication administration training program in conjunction with School Nurse Advisory Council and the Association of School Nurses of CT



Task Force to Study Life-Threatening Food Allergies

(Public Act 15-17, Effective from passage)

- Task force created to examine and report on by Jan. 1, 2016:
 - ❖ Efficacy of implementation, dissemination and enforcement of the guidelines for the management of students with life-threatening food allergies and glycogen storage disease (GSD) developed by SDE
 - ❖ Methods used by school districts to ensure the safety of students with life-threatening food allergies during transportation to and from school
 - ❖ Plans for the management of students with life-threatening food allergies and GSD and their inclusion as fully participating members in the school community
 - ❖ Emotional and psychosocial welfare of students with life-threatening food allergies as influenced membership in the school community, how such students are included or excluded from participating in school events, and how instances of isolation or targeting of students with life-threatening food allergies by other students, school staff or school policy are addressed by the school or district administration



Developmental Screenings (Public Act 15-157, Effective July 1, 2015)

- Health care providers performing physical examinations on children five years or under for the purposes of completing the public school health assessment forms must now indicate on the form whether the health care provider performed a developmental screening using a method recommended by the American Academy of Pediatrics
- Developmental screening means the identification of concerns regarding a child's physical and mental development, including, but not limited to, the child's sensory, behavioral, motor, language, social, perceptual or emotional skills



Miscellaneous Special Ed. Changes from Budget Implementer (Special Session Public Act 15-5)

- Several provisions regarding studying RESCs' provision of special education services to school districts and funding regarding same
- SDE will issue an RFP for IEP form software by October 1, 2015
 - ❖ If SDE eventually purchases such software, it will provide the software to half of all school districts by July 1, 2016 and the remaining half by July 1, 2017
- By January 1, 2016, and annually thereafter, all school districts to review transportation arrangements for special education students, both in- and out-of-district, and make appropriate changes to ensure safe transportation of students (e.g., bus monitors, cameras, etc.)
- The state will now audit private providers of special education. Districts with students receiving services from private providers must provide the state required information so the audits may occur. Districts will receive the results of the audits.



Changes to Bilingual Education and ELL Services

(Special Session Public Act 15-5, Sections 286-298)

- Bill establishes a process under which a student may receive more than 30 months of bilingual education
 - ❖ Up to 60 months total, with approval from SDE
- Enhancement of language-transition support services
- SBE annual evaluations of bilingual programs
- ELL Pilot Program and Evaluation
- Studies regarding the feasibility of RESCs providing bilingual education and ELL services



Questions?