PULLMAN &COMLEY

Developments from the 2024 Session of the Connecticut General Assembly Affecting Schools (and Public Employers)

The following is a brief description of acts that were passed during the 2024 Session of the Connecticut General Assembly that may be of interest to Connecticut school leaders. This year's session featured important changes to existing law with respect to HVAC inspection requirements, teacher certification, DCF mandated reporting, student suspension, and high school graduation requirements, among other topics.

In the coming weeks, please be sure to visit our blog – Education Law Notes – for our take on the key impacts of this year's legislation and action items that boards of education, charter and private schools and other K-12 educational institutions should take to implement the legal changes outlined below.

As always, please feel free to reach out to any of our school law attorneys if you have questions regarding a particular piece of legislation.

School Finance

Authority to Create (and Make Deposits Into) Non-Lapsing Accounts

Public Act 24-45: An Act Concerning Education Mandate Relief, School Discipline and Disconnected Youth. Previously, state law permitted a town board of finance (or the board of selectmen in a town with no board of finance, or the authority otherwise making budget appropriations for the school district) to deposit unexpended funds from the education budget into a non-lapsing account. Beginning with the **2023-2024 fiscal year (i.e., now)**, Section 7 of **Public Act 24-45** will grant local boards of education the power to make this deposit. Existing restrictions in the reserve fund (for example, limits on the amounts of annual deposits, the permitted uses of such funds being for "educational expenditures") continue to apply.

Authority of Regional Boards of Education to Use Reserve Funds for Any Educational Purpose

Previously, state law allowed regional boards of education to create reserve funds for "capital and non-recurring expenditures," to be financed by appropriated funds and year end surplus operating (budget) funds. **Beginning with the 2023-2024 fiscal year (i.e., now)**, Section 8 of **Public Act 24-45** will allow regional boards of education to create (and expend monies from) these funds for any "educational expenditure," not just capital projects/improvements and equipment purchases. The Act renames the account "the reserve fund for educational expenditures" instead of the former "reserve fund for capital and nonrecurring expenditures." The other current restrictions for these reserve funds remain in effect (for example, that the aggregate amount of annual appropriations

and supplemental appropriations from the surplus to the fund cannot exceed 2% of the annual district budget for the fiscal year).

Audit Requirements

Public Act 24-132: An Act Concerning The Recommendations Of The Intergovernmental Policy And Planning Division Within The Office Of Policy And Management, Audits And Municipal Finance. Among other things, this Act makes several changes to auditing requirements for municipalities, regional school districts, and other local and regional entities, all of which took effect on July 1, 2024. The Act limits the amount of additional time the Secretary of the Office of Policy and Management (OPM) may grant an entity to file its required audit report to six months from the date it was due. The Act increases the length of time auditors must preserve the working papers they used to prepare the audit and make them available to OPM for inspection from three to five years after the filing date. The Act increases the maximum civil penalty the Secretary of OPM can assess an entity (or auditor) that misses the filing deadline from $10,000 to $50,000 and finally the Act also permits the Secretary to assess the penalty as a reduction in grants awarded to the entity, including the payment in lieu of taxes (PILOT) grant.

Municipal Accountability Review Board

In addition, **Public Act 24-132** makes several revisions to the Municipal Accountability Review Board (MARB) statute, including changing the procedure for designating municipalities referred by OPM to the Municipal Finance Advisory Commission (MFAC) as "tier I" municipalities and modifying the criteria used for determining whether a municipality retains its tier designation.

ECS Grants

Public Act 24-93: An Act Concerning Various and Assorted Revisions to the Education Statutes. This Act requires that by December 31st of each year, the Connecticut State Department of Education (SDE), using data from the current fiscal year, calculate and provide an estimate of the amount that each town may receive in education cost sharing (ECS) grants for the next fiscal year.

American Rescue Plan Act Funds

Public Act 24-81: An Act Concerning Allocations of Federal American Rescue Plan Act Funds and Provisions Related to General Government, Human Resources, Education and the Biennium Ending June 30, 2025. This 350-plus page Act makes numerous adjustments to Federal American Rescue Plan Act appropriations including a variety of grant funding and other changes impacting educational institutions as described below.

ECS and Charter School Grant Funding

Section 120 of **Public Act 24-81** increases last year's appropriation to the state ECS account and charter school grant account by an aggregate total of $139,626,522.

Interdistrict Magnet School, Regional Agricultural Science and Technology and Charter School Grants

Sections 112-119 of **Public Act 24-81** make a number of changes to interdistrict magnet school ("magnet school") and regional agricultural science and technology ("vo-ag") grant programs. Among other changes the Act revises the grant formula for grants to qualifying magnet school and vo-ag centers by placing increased weighting on enrollment of free or reduced meal and English language learner students. The new formula mirrors the ECS formula. Such grants are available to boards of education that operate interdistrict magnet or vo-ag programs as well as non-board of education operators of interdistrict magnet school programs.

The Act additionally required the SDE to calculate and notify boards of education and non-board of education operators of the estimated amounts of interdistrict magnet school and vo-ag grants as described above by June 30, 2024. In addition, and in conjunction with **Public Act 24-93**, the Act also requires the SDE to provide an estimated ECS grant notification to each town by June 30, 2024 and then again on December 31, 2024. Similarly, the Act required the SDE to provide estimated charter school grant award amounts by June 30, 2024 and requires such estimates again for fiscal year 2025-26 by February 1, 2025.

Magnet Preschool Tuition

Public Act 24-81 also amends the law with respect to the amount of preschool tuition that magnet school operators may charge to parents. Prior to the Act's passage, only regional educational service centers (RESCs) operating magnet school preschool programs were eligible to charge preschool tuition and only in amounts up to $4,053 with a prohibition on charging tuition to families at or below 75% of the state median income. The Act changes the law by first eliminating the restriction that only RESC operated magnet schools may charge preschool tuition. In addition, the Act reduces the $4,053 cap to 58% of the tuition amount charged to parents for 2023-24 while maintaining the prohibition on charging tuition to families at or below 75% of the state median income but offsets the lower tuition cap with new SDE grant obligations – subject to available appropriations – for any unpaid preschool tuition charged to families at or below 75% of the state median income.

Magnet School Tuition, Enrollment Standards and Grants

Public Act 24-78: An Act Assisting School Districts in Improving Educational Outcomes, Implementing the Recommendations of the Department of Education and the Technical Education and Career System and Establishing Early Start CT. This Act makes several technical changes with respect to interdistrict magnet school enrollment standards, tuition charging authority and grant programs, in addition to the above provisions of **Public Act 24-81**. First, with respect to enrollment standards, the Act changes the requirement that the governing authority of interdistrict magnet schools maintain a total school enrollment in accordance with interdistrict magnet school enrollment standards developed by the SDE rather than the prior requirement that enrollment be in accordance with undefined "reduced-isolation setting" standards. The Act provides that the SDE must also consider whether an interdistrict magnet school is meeting the SDE enrollment standards in the grant issuance process.

With respect to tuition charging authority, the Act clarifies existing law to explicitly provide that the amount of magnet school tuition charged to boards of education directly by non-RESC magnet school operators be in accordance with the same methodology that RESCs operating interdistrict magnet schools (as well as the Hartford Board of Education operating the Great Path Academy on behalf of Manchester Community College) currently use.

Finally, with respect to interdistrict magnet school operating grants, the Act reauthorizes the SDE to issue such grants to interdistrict magnet school operators through the 2024-25 fiscal year. This grant program had previously expired at the conclusion of the 2020-21 fiscal year. The interdistrict magnet school operator grant program is distinct from Sheff-region open choice grants which may also be issued to interdistrict magnet school operators.

Goodwin University Magnet Schools

Public Act 24-78 specifically provides that teachers who taught at a local or regional board of education in the school year immediately before being employed by a school operated by Goodwin University Magnet Schools, Inc. or Goodwin University Educational Services, Inc. ("Goodwin University") do not lose continuous employment status for purposes of tenure or accrued sick leave calculations upon being hired by Goodwin University. The Act additionally grants Goodwin University the authority to charge tuition to boards of education for student attendance at Goodwin University magnet schools.

Medicaid Reimbursement for Schools

With respect to Medicaid reimbursement, Sections 61-63 of **Public Act 24-81** require the Commissioners of the Department of Social Services (DSS) and the SDE to seek federal approval to amend the state's Medicaid plan by no later than October 1, 2025 to expand Medicaid coverage for health services provided by or on behalf of a local educational agency (LEA) to any student who is enrolled in Medicaid *regardless* of whether such student qualifies for services under the IDEA or Section 504. The Act further authorizes LEAs, to the extent permitted by law, to directly submit Medicaid claims for each student who is eligible for Medicaid and is receiving Medicaid-covered school-based services unless such student's parent or guardian opts out of authorizing the LEA to bill Medicaid for such services. This authorization also applies to Medicare billing for health care services provided to an eligible student enrolled in Medicaid in the office of a school nurse.

In addition, the Act creates an interagency coalition comprised of representatives of DSS, the SDE and OPM to coordinate and make recommendations for maximizing federal funding for Medicaid-eligible health care services in public schools in Connecticut.

Open Choice Program in Danbury and Norwalk

Public Act 24-74: An Act Concerning School Resources. With respect to the Open Choice pilot programs in the greater Danbury and Norwalk areas, **Public Act 24-74** provides that students participating in such programs shall be eligible to attend school in their receiving district until graduation (prior law appeared to only confer graduation eligibility for the 2022-23 school year).

In addition, with respect to the Norwalk Open Choice program, the Act now provides that up to 50 students who reside in Darien, New Canaan, Wilton, Weston and Westport may attend the Norwalk Public Schools. Before this change, the law only expressly permitted up to 50 Norwalk students to attend school in Darien, New Canaan, Wilton, Weston and Westport and not vice-versa. Lastly, the Act reauthorizes receiving district grants for the Danbury and Norwalk Open Choice pilot programs commencing with the 2024-25 fiscal year.

Wholesome School Meals Pilot Program

Public Act 24-74 delays implementation of a wholesome school meals pilot program that awards grants of up to $150,000 per year to Alliance Districts for the purpose of "embedding" a professional chef to assist school meal programs in building the capacity of food service staff, improving school meal quality, increasing diner satisfaction, streamlining operations and establishing a financially viable school meal program. The Act pushes back the termination date of this pilot program from the conclusion of fiscal year 2025-26 to the conclusion of fiscal year 2026-27.

School Nutrition

Public Act 24-82: An Act Concerning Child and Family Nutrition. This Act expands efforts to increase enrollment in federal and state nutrition programs through inter-agency collaboration directed towards public education, data sharing, and cross-enrollment or referral programs, as well as improved online systems. Among other provisions the Act requires the SDE to collaborate with the Office of Early Childhood (OEC) on increasing participation in – and federal reimbursement funds for – the federal School Breakfast Program, Summer Food Service Program, and Child and Adult Care Food Program and federal reimbursement for all of the above.

Preparation for Academic Transition to Higher Education and College Awareness

Public Act 24-117: An Act Establishing The Path Program And Amending The Connecticut Collegiate Awareness And Preparation Program. This Act creates a new Preparation for Academic Transition to Higher Education (PATH) grant program administered by the Connecticut Office of Higher Education (OHE). The Act authorizes the OHE to award an aggregate total of $100,000 in PATH grants for fiscal year 2024-25 and each fiscal year thereafter to non-profit, community-based organizations to assist Connecticut resident students with 1) completing college applications, 2) completing the Free Application for Federal Student Aid (FAFSA) or other applications for institutional financial aid, and 3) securing education scholarships and grants to finance post-secondary education.

IMPACT: Among other things, per Public Act 24-45 school districts now have greater flexibility in carrying over surplus monies. Districts that do not currently have a non-lapsing fund in place should consider creating such pursuant to the new law's relaxed requirements.

School Climate and Student Discipline

Student Suspensions

Effective July 1, 2024, **Public Act 24-45** lowers from ten consecutive days to five consecutive days the maximum term for an *in-school suspension.* This Act also revises the standard for determining when a school may issue an *out-of-school suspension* for students in preschool through grade two to circumstances where a student's conduct on school grounds constitutes behavior that "causes physical harm."

In addition, when any such student in preschool through grade two receives an out-of-school suspension, such student must receive trauma-informed and developmentally appropriate services that align with any behavioral intervention plan, individualized education program, or Section 504 plan immediately upon the student's return to school after the suspension; the school district must also consider whether to convene a planning and placement team meeting to evaluate whether the student may need special education or related services.

Furthermore, any such out of school suspensions for such young students cannot exceed five consecutive school days; for students in grades three through twelve, the maximum for out of school suspensions remains ten consecutive school days.

Notices of Student Expulsion Hearings

Public Act 24-93 clarifies existing law to provide that the five-business day advance notification requirement for the parental notice of any student expulsion hearing does not include the day of the hearing.

School Climate

Effective July 1, 2024, **Public Act 24-45** expands the duties of the Social and Emotional Learning and School Advisory Collaborative so as to require it to develop 1) school climate survey standards (including standards related to collection of data related to diversity, equity and inclusion and the reduction of disparities in data collection between school districts), and 2) a model school climate improvement plan. Furthermore, school climate specialists may incorporate this model school climate improvement plan (when drafting and submitting such plans that are to be in effect beginning with the 2025-2026 school year – see this summary of last year's legislation for more detail). The Act requires the SDE to appoint a director of school climate improvement to serve as the statewide social and emotional learning and school climate expert. The specified duties for the director will include, among other things, assisting school boards with implementing the various school climate, bullying and social emotional learning policy requirements and statutory mandates.

Disruptive Students and Intervention Team Meetings

Public Act 24-93 provides that a school principal or other school administrator must notify the parent or guardian of a student not later than 24 hours after such student has engaged in behavior that has caused a serious disruption to the instruction of other students, self-harm to the student or

physical harm to a teacher, another student or school employee. The notice must inform the parent or guardian that the teacher in the classroom in which such incident occurred may request a behavior intervention meeting. A behavior intervention meeting shall occur after the request is submitted and after the student's parent or guardian is informed. No later than seven days after such meeting, the crisis intervention team must submit a written summary to the student's parent or guardian in the parent or guardian's dominant language that identifies the resources and supports identified to be provided to such student.

Youth Services Bureaus (YSBs)

Effective July 1, 2024, **Public Act 24-45** requires boards of education, upon request of a YSB that provides services to a board, to enter into a memorandum of understanding (MOU) regarding the circumstances under which students' educational records may be shared between the board and a YSB. Any such MOU must require the school board to provide, and the YSB to receive and maintain, any educational records in accordance with the Family Educational Rights and Privacy Act (FERPA). This Act also explicitly authorizes boards of education to refer students to YSBs, and further authorizes boards of education (in addition to municipalities) to designate private youth serving organizations to establish YSBs, thus giving schools the power to instigate/create YSBs. As amended by this Act, a YSB 1) is established "for the purposes of evaluation, planning, coordination and implementation of services, including prevention and intervention programs for delinquent, predelinquent, pregnant, parenting and troubled youths" referred to it by school boards, the police, the courts, local youth-serving agencies, parents and self-referrals and 2) "shall be the coordinating unit of community-based services to provide comprehensive delivery of prevention, intervention, treatment and follow-up services"

At Risk/Disconnected Youth

Effective upon passage (May 21, 2024), **Public Act 24-45** required the Connecticut Preschool through Twenty and Workforce Information Network ("P20 WIN") to develop a plan to establish a statewide data intermediary to provide technical support, create data-sharing agreements, and build and maintain the infrastructure needed to share data between nonprofit organizations serving disconnected youth. The P20 WIN executive board must submit the plan to the General Assembly's Education Committee by January 1, 2025. In addition, the P20 WIN executive board must submit a report on disconnected youth by January 1, 2025, and annually thereafter, to the General Assembly's Appropriations, Childrens, Education, Human Services, Judiciary, Labor and Public Employees, and Public Health Committees. The definition of disconnected youth includes students who: 1) are at risk of not graduating, 2) not enrolled in high school or who have not obtained a high school diploma or GED, 3) have earned a diploma or GED but are unemployed and not enrolled in an adult education program, institution of higher education, or a workforce training or certification program, or otherwise pursuing postsecondary education; or 4) are incarcerated.

Task Force on Hate Speech and Bullying

Special Act No. 24-9: An Act Establishing a Task Force to Study the Effects of Hate Speech and Bullying on Children. This Special Act establishes a task force to study the effects and social impact of hate speech and bullying on children. Some of the items that the task force will consider

are: 1) an analysis of the effects of hate speech and bullying on the mental and physical health and academic achievement of children, 2) the settings and environments where children are most likely to encounter or participate in hate speech or bullying (including whether the hate speech or bullying occurs online or in person), 3) whether the hate speech or bullying is "perpetrated by children or adults, or both, in each setting or environment, 4) an analysis of the factors that may contribute to a child's likelihood of encountering hate speech or bullying, and 5) a child or adult's likelihood of perpetrating hate speech or bullying. . . ." This Act specifies the composition of the task force and requires that the task force submit a report on its findings and recommendations to the General Assembly's Children's Committee by January 1, 2025.

IMPACT: Schools may need to review and revise policies on student discipline. Furthermore, schools may have to develop (upon request) MOUs regarding YSBs. Also, please be cognizant new school climate requirements per last year's legislation must be in place by July 1, 2025, as well as the stricter timeline for expulsion hearing notices to be issued to parents.

Title IX, Sexual Assault, and DCF

Department of Children and Families Mandated Reporting Requirements

Public Act 24-41: An Act Concerning Educator Certification, Teachers, Paraeducators, and Mandated Reporter Requirements. For many years, Department of Children and Families (DCF) mandated reporters have struggled with the decision as to whether to contact DCF in cases where suspicion of abuse or neglect is ambiguous based on the initial information received. To this end, mandated reporters have had to walk a thin line between referring an investigation to DCF to avoid a charge of interference with a DCF investigation versus obtaining enough information to make the call to DCF. **Public Act 24-41** changes the reporting obligations, at least some degree, in a manner that will hopefully give school employees some help in this matter.

Public Act 24-41 provides that effective July 1, 2024 the mandated reporter statutes do not prohibit mandated reporters from making a "preliminary inquiry" to determine if reasonable cause exists for a report. The Act provides that such a "preliminary inquiry" (which is NOT required) does not constitute an abuse or neglect "investigation" by a board of education. The Act requires DCF to develop training on how to conduct such preliminary inquiries.

Importantly, the Act also extends criminal and civil immunity to persons, institutions, and agencies that, in good faith, do **not** make a report of abuse or neglect to DCF. Currently, this immunity exists only for those who do in fact make a report in good faith to DCF. While there is no specific definition of what constitutes "good faith" or a "preliminary investigation," these are certainly welcome amendments for school employees.

The Act also excludes from the information that must be disclosed by school employment applicants' previous employers such information about a substantiated abuse or neglect or sexual misconduct allegation if the substantiation was reversed in an appeal to DCF. As such, background

checks for employees will no longer reveal substantiation findings of abuse or neglect if that substantiation finding was reversed on appeal.

Response to Sexual Abuse

Public Act 24-127: An Act Concerning The Criminal Justice Response To Victims Of Sexual Assault. This Act, which mostly addresses how police departments and the courts should support sexual assault victims, also includes language mandating that by December 1, 2024 the Office of Victim Services (in consultation with other agencies) must compile information concerning services and resources available to victims of domestic violence and sexual assault and must provide this information to the SDE so that the SDE can publish such information on its website. In addition, the new law provides that that school districts must provide this information to any student, parent or guardian of a student who expresses to a school employee that they do not feel safe at school due to sexual assault. Existing law required districts to provide this information in response to concerns of domestic violence. Neither the Act nor existing law imposes any age limitations with respect to providing this response information to students.

Public Act 24-118: An Act Concerning Child Sexual Abuse. This Act will revise the Connecticut School Health Survey administered to students in grades nine to twelve, to eventually include the sexual abuse and assault awareness prevention survey for administrators. Currently, the survey administered by the Department of Public Health (DPH) is given to students in high schools selected at random by the federal Centers for Disease Control and Prevention and is administered in accordance with guidelines by which schools are required to abide. Commencing July 1, 2026, all school administrators in Connecticut in which the Connecticut School Health Survey is being administered must participate in this state-wide sexual abuse and assault awareness and prevention survey. The results of the survey shall be submitted together with the student results to the DPH.

Title IX "Toolkit"

Public Act-24-126: An Act Concerning The Recommendations Of The Office Of The Child Advocate. Buried in an Act that mainly addresses the DCF is a small section relevant to boards of education. This Act pushes back the date by which the working group of the Commission on Women, Children, Seniors, Equity and Opportunity must develop a Title IX toolkit from July 1, 2024 to January 1, 2025. The Act also pushes back the date by which the SDE must distribute the toolkit to school districts to April 1, 2025.

IMPACT: It goes without saying that schools will need to revisit their mandated reporting polices and recalibrate any necessary training, understanding that when in doubt, it is still better to make a report. Stay tuned on the Title IX Toolkit. In addition, if your district is chosen by the CDC, your school administrators then have to take the sexual abuse and assault awareness prevention survey.

Curriculum and Instruction

High School Graduation Requirements

Public Act 24-45 includes the following provisions with respect to graduation: 1) delays the mandate that students complete FAFSA or a waiver as part of the high school graduation requirement until the graduating class of 2027 and 2) exempts students with F-1 visas who are enrolled in "endowed academies" from this requirement. Effective with that same graduating class, the Act **eliminates** the option for boards of education to require students to complete a **one-credit mastery-based diploma assessment**. Also effective with that same graduating class, the upcoming one-half credit in **personal financial management and financial literacy requirement** may count towards the humanities ***or*** STEM requirement or as an elective credit. The ability to count towards the STEM requirement was added by this Act. Effective July 1, 2024, this Act will now include physician assistants (in addition to physicians and APRNs) as practitioners who may certify that a student's participation in **physical education** is medically contraindicated (and thus exempt the student from the physical education credit requirement). Effective July 1, 2024, this Act amends the current law that permits school boards to offer, and count towards high school graduation requirements, one half-credit in **community service** by eliminating 1) the prohibition on partisan political activities counting as community service and 2) the requirement that the State Board of Education (SBE) give community service recognition awards to students who complete at least 50 hours of community service.

High School Success Plans

Effective July 1, 2024, this Act provides that in creating student success plans, consideration shall be given to enrollment opportunities in the Connecticut Technical Education and Career System (CTECS).

Alternative Education and Credit Recovery Programs

Effective July 1, 2024, school boards that include a credit recovery program as part of their alternative education program must allow students enrolled in a traditional school program and at risk of not graduating to also enroll in the credit recovery program while remaining enrolled in the traditional program.

Working Groups and Task Forces

This Act authorizes the executive director of the Connecticut Association of Boards of Education (CABE) to convene and chair a working group (of specified members) to conduct a review of and make recommendations regarding the **high school graduation requirements** for the purpose of identifying those requirements that have the effect of limiting or restricting the provision of instruction or service to students. If so convened, the group shall submit its report and recommendations to the General Assembly's Education Committee by January 1, 2026. This Act authorizes the Presidents of the Connecticut Education Association (CEA) and the American Federation of Teachers-Connecticut (AFT-CT), or their designees, to jointly convene and chair a working group (of specified members, including CABE) to review 1) **high school grading policies**

used by school boards, and 2) **the "accountability index"** and information and data SDE uses to calculate index scores. If so convened, the group shall submit its report to the General Assembly's Education Committee by January 1, 2026. Furthermore, the Act establishes a task force (of specified members) to develop recommendations for the creation and administration of a **statewide program for delivering bereavement and grief counseling services to children and families** at no cost to participants.

Connecticut Civics Education, Civics Engagement and Media Literacy Task Force

Public Act 24-93 establishes the Connecticut Civics Education, Civics Engagement and Media Literacy Task Force, to study, including but not limited to 1) reviewing existing state and national curriculum and standards, 2) receiving recommendations from educators, administrators, governmental entities, nongovernmental organizations and the public, 3) an evaluation of existing civics, citizenship, media literacy and American government educational opportunities, and 4) considering the practicality of establishing partnerships to fund, coordinate, promote and support enhancements to engagement and instruction.

Artificial Intelligence Pilot Program

Public Act 24-151: An Act Authorizing And Adjusting Bonds Of The State And Concerning Provisions Related To State And Municipal Tax Administration, General Government And School Building Projects. Buried in this Act are provisions of relevance to artificial intelligence (AI). This Act requires the SDE to create an AI pilot program to award grants during the 2024-25 school/fiscal year to five school boards to help them implement an existing AI tool, to be used by educators and students for classroom instruction and student learning. While the Commissioner of Education is empowered to select both the AI tool and the five school boards, the boards selected must include at least one rural, one suburban, and one urban district and reflect the racial and ethnic diversity of the state. The Commissioner and each participating school board must jointly select the grade level in which the AI tool will be used, provided it is done within grades seven to 12. The Act requires that the AI tool must comply with laws governing the use of AI, FERPA, and Connecticut's Student Data Privacy Act. This Act requires the SDE to provide professional development for educators employed by school boards participating in the AI tool pilot program.

Model Digital Citizenship Curriculum

Section 145 of **Public Act 24-151** requires the SDE to develop by January 1, 2025 a model digital citizenship curriculum for grades kindergarten to 12 that may be used by school boards (in their discretion).

Statewide Advanced Placement Course Offering Study

Public Act 24-78 requires the SDE to conduct a study regarding the feasibility of establishing and administering a state-wide program that supports public high school students' participation in advanced courses (i.e. AP, International Baccalaureate, etc.) and that gives priority to students from low-income families. The results of such study must be submitted to the General Assembly's Education Committee by January 1, 2026.

Reading Research and Instruction

Public Act 24-78 also clarifies the roles of the SDE's Office of Dyslexia and Reading Disabilities and Center for Literacy Research and Reading Success with respect to the use and development of scientifically-based reading instruction research and resources in educator training and certification programs, and requires the SDE to develop compliance and audit measures by July 1, 2025 to ensure that educator preparation programs, including intermediate administrator and supervisor programs, appropriately include instruction on scientifically-based reading research and instruction.

Connecticut State Seal of Biliteracy

Public Act 24-78 amends existing law concerning the State Seal of Biliteracy. Previously, only boards of education were explicitly authorized to affix the State Seal of Biliteracy on a diploma awarded to a student who has achieved a high level of proficiency in English and one or more foreign languages. The Act authorizes the governing board for all other schools that award a diploma (charter schools, private and parochial schools, etc.) to now do the same and further provides that the SDE, rather than the SBE, must establish criteria for use of the State Seal of Biliteracy.

IMPACT: Schools may have to review and revise their graduation policies. In addition, school districts may wish to consider developing policies addressing AI.

Special Education, Related Services And Accommodations

PPT Notices

Public Act 24-41 requires that the notice that must be given to a parent or guardian (or student) at least five days before any PPT meeting must include the specific rights that the law provides parents, guardians, and students at these meetings. These include the right to 1) be present at and participate in all portions of the meeting where an educational program for the student is developed, reviewed, or revised, and 2) have advisors of the person's own choosing, the paraeducator assigned to the student, the birth-to-three coordinator, if any, and a language interpreter, if needed.

Special Education Transition Services

Public Act 24-78 makes various revisions to the state statutes governing transition services that were enacted last year. First of all, this Act replaces the definition of "transition services" with the federal definition, which defines them as activities "designed to be within a results-oriented process … focused on improving the academic and functional achievement of the child with a disability to facilitate the child's movement from school to post-school activities, including postsecondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation" and that are "based on the individual child's needs, taking into account the child's

strengths, preferences, and interests". In addition, the Act changes the definition of "public transition program" to "transition program", but at various places in the Act, states that such programs are those that are "operated by a local or regional board of education or regional educational service center," so this change is more akin to a clarification. This Act further empowers the State-wide Transition Services Coordinator and the SDE to perform "any necessary" unannounced site visits at transition programs. This Act also moves the obligation to develop and maintain an easily accessible online listing of transition resources, services and programs from the State Education Resource Center to the SDE's State-wide Transition Services Coordinator, in collaboration with various state agencies (i.e., the Departments of Social Services, Developmental Services, Aging and Disability Services, Children and Families, Labor, Correction, Public Health, and Mental Health and Addiction Services, and the Office of Early Childhood). These same state agencies must also post a link to the online listing on their websites.

Special Education Task Force

Public Act 24-93 amends the membership of the task force that has been formed to study the provision and funding of special education in our state so as to include a member chosen by the Connecticut Council of Administrators of Special Education, who shall also serve as a co-chairperson. The task force is still required to submit its report of their findings and recommendations by January 1, 2025 to the General Assembly's Education Committee.

Special Education Excess Costs Grant

Public Act 24-93 also amends the special education excess costs grant so as to provide that any payment shall include all expenditures incurred by a school board pursuant to a contract with a private provider of special education services, private school, agency or institution (to the extent permitted under the grant statute), during the school year in which such a private entity provided such services, even if such private entity is approved for special education by the Commissioner of Education during such school year.

Service Animals

Public Act 24-18: An Act Aligning State Law with Federal Law Concerning Service Animals. This Act generally eliminates existing state law references to guide and assistance dogs for people who are blind or physically disabled in favor of the broader federal law definition of "service animals" which are defined as dogs that are "individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability." Other species of animals are not included within the federal law definition that has been adopted under the Act. The work or tasks performed by a service animal must be directly related to the individual's disability.

On the basis of this revised definition, the Act changes certain provisions in existing state law with respect to state employee use of paid sick time to attend service animal training and motor vehicle right of way provisions for pedestrians amongst other changes.

The Act amends the law by 1) permitting full-time state and quasi-public agency employees with **any** disability who have been employed for at least 12 consecutive months to use accumulated

paid sick leave for training their service animals and 2) increasing the amount of leave that employees may use from 15 to 20 days. Similarly, the Act extends this right for leave to train service animals to full time **municipal employees** with a disability who have been employed for at least 12 consecutive months, provided that (similar to state employees) the employee provides at least 7 days' notice and documentation.

Of note to educational institutions, the Act similarly revises existing law to make it an illegal discriminatory practice for a place of public accommodation – which can be a school – to deny entry to a person with a disability with a service animal rather than only blind, deaf or mobility impaired person with a guide or assistance dog.

The Act requires the Commission on Human Rights and Opportunities (CHRO), within available appropriations, to post a link on its website to educational materials on topics related to service animals, emotional support animals, and therapy animals.

IMPACT: It is important for schools to be up to speed on the distinctions between service animals, emotional support animals, and therapy animals which may also be relevant for accommodations required under a student's Section 504 plan. Schools must also update their PPT meeting notices to comply with the new requirements.

Mandate Relief (But Also New Mandates)

Mandate Relief Council

Public Act 24-45 establishes the Education Mandate Review Advisory Council, which shall advise and provide reports (by January 1, 2025, and annually thereafter) to the General Assembly's Education Committee on the cost and implementation of existing education mandates on local and regional boards of education, as well as the impact of any proposals relating to additions or revisions to such education mandates; in its annual report, the Council may include recommendations regarding the repeal of or amendment to statutes or regulations.

In-Service Trainings

Section 2 of **Public Act 24-45** also amends the laws governing in-service training program for teachers, administrators, and pupil personnel. The Act provides that the manner and frequency of the in-service training be determined by the school district's professional development and evaluation committee (provided that the required subject matter be provided at least **once every five years**). The Act eliminates from the required subjects from such in-services 1) the identification and prevention of and response to bullying, 2) culturally responsive pedagogy and practice, and 3) the principles and practices of social-emotional learning and restorative practices, since these topics are addressed by other statutes (including professional development). The Act also restores prior in-service training requirements enacted in 2023 (but that were possibly going to be sunset due to conflicting statutory provisions) on special education, planning and placement teams and Section 504 plans, and emergency response to students who experience a seizure in school.

School Resource Officers (SROs)

Effective July 1, 2024, Section 5 of **Public Act 24-45** requires that SROs must submit their reports directly to the superintendent of schools in situations where the chief of police of the local law enforcement agency is not certified by the Police Officer Standards and Training Council (POST).

Model Student Work Release Policy

Effective July 1, 2024, Section 26 of **Public Act 24-45** requires the Chief Workforce Officer to consult with the Commissioner of Education in updating the model student work release policy. This policy must be adopted by school boards effective with the 2024-2025 school year.

Comprehensive Audit of the Assessments that are Administered to Students

Public Act 24-93 which took effect on July 1, 2024, requires the SDE, in consultation with national assessment experts and local and regional boards of education, to conduct a comprehensive audit of the assessments that are administered to students. The SDE shall submit by January 31, 2026, to the General Assembly's Education Committee a report concerning its audit and activities and any requisite legislative proposals.

Open Choice and Racial Imbalance

Public Act 24-93 provides that commencing in the 2024-2025 fiscal year, boards of education for each receiving district must include the projected amount of interdistrict public school attendance **("Open Choice") grants** to be received in the board's annual budget and projected revenue statement. This Act amends the **racial imbalance** reporting laws by 1) restricting the SBE from notifying a school board of its finding of evidence of a racial imbalance in one of its schools until July 1, 2025, and 2) removes the requirement of school boards to submit to the state a plan to rectify the imbalance until July 1, 2025. Any plans received by the State on or after July 1, 2024, shall not be acted upon until July 1, 2025.

Emergency Epinephrine

Section 6 of **Public Act 24-93** requires that any paraeducator and qualified school employee authorized to administer emergency epinephrine in the absence of a school nurse shall annually complete the state training in such administration. This Act permits childcare providers that are exempt from licensure may administer such epinephrine to provide emergency first aid.

Prohibition on Requiring Parents to Volunteer

Section 7 of **Public Act 24-93** prohibits school boards from **requiring a student's parent/guardian to participate in school activities (such as volunteering)** as a prerequisite for enrollment in their schools. This Act requires each regional community technical college to consult with the school counselors and administrators at public high schools located within their region to establish a **collaborative partnership** (e.g., collaborative counseling programs for

students interested in specific careers, evaluation and alignment of curricula and offering support or educational programs to improve student outcomes).

Professional Development Programs for School Nurses

Public Act 24-93 amends the requirement of school boards to annually provide professional development programs for school nurses so as to now include (effective July 1, 2024) an orientation to school health services to any nurse no later than six months after any such nurse has been appointed by or contracted with the board.

Superintendents' Returns of District Receipts, Expenditures and Statistics

Public Act 24-93 amends the deadline for school districts to report any revisions to the returns of the district's receipts, expenditures and statistics previously submitted by their superintendents from December 31st until January 31st. The SDE's deadline for publishing the data in the reports and returns shall now be filed by March 15th, (instead of the previous February 15th requirement).

Playground Designs

Public Act 24-93 provides that when a school board designs any school playground on or after July 1, 2025, it should comply with the principles of universal design. Such principles include 1) play spaces that appeal to multiple senses and permit different forms of play, 2) landform tailored to encourage unstructured play, 3) multiple ways for accessing play spaces and equipment, and 4) sensory-engaging materials.

Last but Not Least-Thanksgiving Day High School Football Games

Section 131 of **Public Act 24-151** prohibits school boards from delegating the authority to schedule interscholastic football games on Thanksgiving Day "to any nonprofit organization or other entity that is responsible for governing interscholastic athletics" in our state (i.e., the Connecticut Interscholastic Athletic Conference). The Act also prohibits any school board from adopting a policy or prohibition against scheduling an interscholastic football game on Thanksgiving Day.

IMPACT: Schools may need to review and revise (if necessary) policies on administration of medication and be cognizant of the (largely helpful) changes to in-service requirements. Schools may also have to revise MOUs regarding SROs. Furthermore, schools will have to adopt work release policies. Finally, high school football on Thanksgiving Day lives on.

Operations

Indoor Air Quality/HVAC

Public Act 24-74 makes various changes to recent legislation addressing indoor air quality in schools. Most notably, the Act relaxes and delays new school HVAC inspection requirements. Last year, Public Act 23-167 provided that beginning by January 1, 2024 and at least once every five years thereafter, boards of education were required to provide for a uniform inspection and evaluation of the heating, ventilation and air conditioning system within each school building under its jurisdiction. Public Act 24-74 effectively delays this mandate by providing that boards of education must provide for a uniform HVAC inspection and evaluation of each of the schools within its jurisdiction between July 1, 2026 and June 30, 2031. Within this period, boards of education must provide for the inspection and evaluation of at least 20% of the schools within the district and must inspect each school every five years thereafter. The Act retains language providing that the Department of Administrative Services (DAS) may grant a one-year waiver of inspection and evaluation requirements if there are an insufficient number of certified professionals to perform such work or the board making such request is scheduled to inspect such school in the coming year.

Lastly, the Act also amends recent legislation that created a working group to study indoor air quality in schools to task the group with the creation of a model request for proposals for the uniform inspection and evaluation of school HVAC systems as well as the development of guidance regarding the timing and manner of such inspections and which types of professionals may perform such work. The Act expands the membership of the working group and delays the deadline for the group's submission of reports on indoor air quality in Connecticut school buildings. Under the Act, the working group will need to make interim reports to the Governor and Education, Labor and Public Employees and Public Health Committees of the General Assembly every year from January 1, 2025 to January 1, 2030, and will need to make a final report by no later than January 1, 2031.

Illegal School Bus Passing Video Monitoring Systems

Public Act 24-107: An Act Concerning Illegally Passing a School Bus. This Act, which became effective July 1, 2024, sunsets the use of "live" video recording systems used for the purpose of capturing illegal school bus passing by motorists. In place of such systems, the Act authorizes the use of alternative systems that record potential violations of municipal school bus passing ordinances. Agreements between municipalities or boards of education and private vendors that involve the operation of live systems and were entered into prior to July 1, 2024 are grandfathered from this provision, but options to extend such contracts cannot be exercised beyond July 1, 2026 and the operation of such live systems must terminate upon the expiration of any agreement.

In addition, the Act expressly allows municipalities to adopt ordinances authorizing the use of "digital video school bus violation detection monitoring system(s)" and establishing $250 municipal fines for violations subject to specified hearing and collection procedures. Municipalities may contract with third party vendors for the installation, operation and maintenance of such systems. If such a contract is entered into the vendor must report on the

number of citations issued and funds collected as a result thereof to the municipality and applicable board of education.

Other School Bus Provisions

Public Act 24-20: An Act Implementing the Recommendations of the Department of Motor Vehicles and Concerning Low-Speed Vehicles, the Towing of Occupied Vehicles, School Buses, Electric Commercial Vehicles, the Passenger Registration of Pick-Up Trucks and Removable Windshield Placards for Persons Who Are Blind and Persons with Disabilities. Of particular interest to K-12 schools, the Act reinstates a school bus purchase sales tax offset program administered by the Department of Motor Vehicles (DMV) that provides sales tax offset payments for the purchase of buses equipped with three-point lap and shoulder seat belts. Under the terms of the program, school districts may submit applications to the DMV for sales tax offsets that include proposed student transportation contracts that require the carrier to provide the district with at least one but not more than 50 buses equipped with three-point lap and shoulder seat belts. Proposed contracts must include requests from the carrier for reimbursement of up to 50% of the sales tax paid for the purchase of any such bus equipped with three-point lap and shoulder seat belts on or after October 1, 2025.

By September 1, 2024 the Act also directs the Commissioner of the DMV to review and amend or revise as necessary DMV regulations and protocols regarding the operation and inspection of school busses to try to limit the idling of school buses as much as possible. Additionally, the Act also requires the Commissioner of the DMV to give guidance to the owners and operators of school buses that identifies the portions of daily vehicle inspection that could be performed while the engine is turned off and to post such guidance on the DMV's website.

Lastly, the Act also amends school bus driver road test requirements by eliminating existing references to Type I and Type II school bus road tests and instead replacing them with a more general requirement that drivers be tested in the type of bus for the passenger endorsement they are seeking to obtain or renew.

Recycling/Source Separation

Public Act 24-45 requires as of July 1, 2026 that each public or nonpublic K-12 school building or educational facility that is located not more than 20 miles from either an authorized source separated organic material composting facility and that generates an average projected volume of not less than 26 tons per year of source-separated organic materials (e.g., food scraps) shall: 1) separate such source separated organic materials from other solid waste, and 2) ensure that such source-separated organic materials are recycled at any authorized source-separated organic material composting facility that has available capacity and that will accept such source-separated organic material. This Act delays an earlier provision that would have required such actions by July 1, 2025, and limited the requirement to those buildings near a composting facility.

IMPACT: Schools may breathe a sigh of relief with respect to the delay in the HVAC inspection requirements.

School Facilities and Construction

Public Act 24-151 includes a number of items that are of interest to Connecticut schools and municipalities, including the following provisions:

Construction Grant Commitments

Section 151 of this Act authorizes 11 state school construction grant commitments and reauthorizes three projects with an additional state grant commitment. Congratulations to the schools selected.

Priority List Requirements

This Act provides that the Commissioner of DAS shall review applications for school construction grants in consultation with the Commissioner of Education with respect to compliance with educational specifications. The Act eliminates the requirement that DAS assign school building projects into one of three categories (whether the project provides for or enhances mandatory instruction or supportive services). The Act requires the priority list by DAS to include information on 1) who conducted the enrollment projections, and 2) an estimate and itemization of ineligible costs.

The Act revises the requirement that the state be reimbursed for the unamortized balance of a grant if the school that is the subject of the grant ceases to be used for "public school use" during the 10 or 20- year period following the grant (depending on the size of the grant), to simply allow the school to be used for a "public use" to avoid repayment. The Act modifies the requirement that no school building project shall be added to the priority list prepared by DAS unless the applicant has secured funding authorization for the local share of the project costs by providing that for any application submitted on and after July 1, 2026, such local share must include an additional 10% contingency that is in accordance with guidance developed by DAS. The Act provides additional grounds for disapproval of grant applications by DAS, including a failure by an applicant to include 1) an attestation from the local fire marshal that the school building project plans comply with the requirements of the State Fire Marshal, 2) an attestation from the district department of health or municipal health department, as the case may be, that the school building project plans comply with the requirements of the Department of Public Health, and 3) on and after July 1, 2025, the application is not accompanied by a solar feasibility assessment for the school building that is the subject of such application.

Reimbursement Rate Increases for Certain Early Childhood Projects

This Act increases the reimbursement rate bonus to 15 percentage points for early childhood care and education programs that provide services for children from birth to five years. The Act increases by 15 percentage points the reimbursement rate for any school building project for a building or facility that will be used exclusively by a school board for an early childhood care and education program that provides services for children from birth to five years; recipient districts shall maintain such early childhood care and education program for at least 20 years.

Inclusive Municipality Designation

Section 157 of this Act requires school boards seeking a five- percentage point reimbursement rate increase for being in an "inclusive municipality" to provide DAS with a written determination from the Commissioner of Housing that the municipality meets this status.

Construction Grants to Endowed Academies and Governing Board Composition

Section 158 of the Act eliminates a requirement that in order for an endowed academy to be eligible for state construction grants, at least half of its governing board (exclusive of the chairperson) consist of representatives of the board(s) of education designating the academy as its high school.

Energy Funds and School Construction Grants

Currently, with respect to school construction grants, other state funds received for a school building project are deducted from the project costs prior to computation of the grant; however, pursuant to Section 160 of the Act, effective July 1, 2024, certain energy-related grants (for example, the Clean Energy Fund, renewable energy tariff) need not be deducted.

Project Completion Audits

Sections 162 and 163 of the Act revises provisions and timelines related to post-construction audits by DAS. The Act shortens the deadline for school districts to submit a notice of project completion to one year (instead of three years) after the issuance of a certificate of occupancy; in the absence of such a submission, the project is deemed to be complete. The Act also shortens the deadline for DAS to conduct a limited scope audit (if it does not complete a full audit) to three years (instead of five years) after receipt of notice of project completion.

School Construction Project Contracting Requirements

Effective July 1, 2024, Section 163 of the Act (as amended by Public Act 24-1, June Special Session Sections 32 and 33[1]) provides that purchasing cooperatives offered through a regional education service center or council of governments are "qualified bidders" for school construction projects. This Act changes to "at least three" (from "not more than four") the number of "most responsible qualified proposers" that must be in a pool for the selection of architectural, construction manager and other consultant services. In addition, construction manager contracts must now include a requirement that the construction manager retain all documents and receipts relating to the school building project for a period of two years following the date of completion of any audit conducted by DAS. The Act requires construction managers to submit to the school board 1) quarterly reports regarding the ineligible project costs for the school building project to date, and 2) upon submission of the notice of project completion, and prior to the DAS audit, a final report on the total ineligible costs for the project. The Act also requires the construction manager to meet quarterly with school boards to review any change orders for eligibility as the school building project progresses. The Act prohibits any construction work from commencing

[1] **Public Act 24-151**'s repeal of the prohibition on construction managers bidding on a school construction project element was short lived, as this prohibition was reinstated via the June Special Session.

on a school building project prior to the setting of the guaranteed maximum price; the Act removed an exception for site preparation and demolition work to this mandate.

Single-User Toilet and Bathing Rooms

Section 167 of the Act prohibits DAS from including new school construction projects on the priority list submitted to the General Assembly on or after July 1, 2025, if the project plans do not provide for single-user toilet and bathing rooms available to all students and school personnel.

School Building Committee Membership

Section 168 of the Act mandates that school building committees include the school board chairperson or a designee.

Indoor Air Quality Grants

Sections 169 and 170 of the Act clarify that RESCs, endowed academies and state charter schools are eligible for indoor air quality/HVAC grants. This Act also delays from July 1, 2024, to July 1, 2026, the prohibition on DAS awarding such grants to an applicant that has not certified compliance with the uniform inspection and evaluation of an existing heating, ventilation, and air conditioning system. This Act also requires DAS to reconsider previously rejected grant applications during the 2024-2025 and 2025-2026 fiscal years; previously unsuccessful applicants do not have to resubmit their applications unless the reason for the prior denial was that it was incomplete or that DAS required additional information. The Act provides for up to $15 million from a prior bond authorization for grants for the purchase of equipment and materials for constructing and installing individual classroom air purifiers.

Renewable Tariff for Solar in Schools

Sections 173 through 175 of the Act require the Public Utilities Regulatory Authority (PURA) to initiate a docket to develop a program to encourage the installation of solar photovoltaic systems and energy storage systems at public schools. PURA may establish a separate tariff for projects selected under such program and may identify a reasonable cap, not to exceed 25 megawatts per year, on the annual generating capacity of projects under such program, provided PURA shall permit any unused allowance under such cap in any given year to accrue. Project proposals may exceed existing on-site usage at the time of such proposal to account for additional future uses of the electricity, as determined by PURA, including, but not limited to 1) electric vehicle charging stations, 2) electricity-dependent heating and cooling systems, and 3) powering equipment used in the provision of food or equipment used to provide water for drinking or hygiene.

Solar Feasibility Study

Section 176 of the Act requires school boards (before submitting an application for a school building project) to provide for a solar feasibility assessment for the school building that is the subject of such application, unless the school building already utilizes solar energy. The purpose of the assessment shall be to provide information to the school board about the feasibility of installing solar photovoltaic systems on the premises of the school building.

School Construction Project Exemptions, Waivers, and Modifications

Sections 177 through 209 of the Act exempts school construction projects in several school districts from various statutory and regulatory requirements to allow these projects to qualify for state reimbursement grants or receive higher grant reimbursements.

School Employees

Teacher Certification Changes

Public Act 24-41 makes numerous (and hopefully simplifying changes to the teacher certification statutes. Among other things, the Act prohibits granting any new "provisional" educator certificates (the middle level of three educator certificates, which are currently, "initial", "provisional" and "professional") and makes the "initial" certification valid for ten years. This Act simplifies the steps required to receive an initial educator certification for those going through an alternate route to certification (ARC) program. The Act also establishes new criteria for a "professional" educator certificate (the highest of the three current certificate levels) including permitting an alternate pathway to professional licensure instead of the master's degree requirement.

Initial Educator Certificate? Revised

Public Act 24-41 will enable an initial educator certificate to be issued to candidates that 1) successfully completes an educator program approved by the SBE; 2) successfully completes an ARC program, and/or 3) is an educator from another state who meets the requirements of Connecticut law. Initial educator certificates issued before July 1, 2025, that have not expired are valid for ten years after they were issued, and those certificates issued after July 1, 2025 are valid for up to ten years. The Commissioner may now only grant three extensions of one year each.

Provisional Educator Certificate (No More)

Provisional educator certificates will cease to exist after July 1, 2025. Any person who holds such a certificate and is not eligible to advance to the professional educator certificate, however, shall be eligible for an initial educator certificate.

Provisional Educator Certificate

As of July 1, 2025, an individual seeking a professional educator certification who holds an initial or provisional certificate must 1) have completed at least 50 school months of successful teaching for one or more boards of education or approved nonpublic schools in Connecticut, 2) have satisfactorily completed a teacher education and mentoring program. and 3) either hold a master's degree in an appropriate subject area or successfully complete an **alternative pathway** permitted by law.

Endorsement Changes

The Act retroactively allows an educator endorsement to teach elementary grades one to six, inclusive, or grades kindergarten to six, inclusive, issued prior to July 1, 2025, to be valid for grades prekindergarten to six, inclusive. Any new elementary endorsement issued on or after July 1, 2025 will also be valid for grades prekindergarten to six, inclusive.

The Act also makes the following endorsements for grades 7 to 12, inclusive valid for grades 4 to 12, inclusive (apparently regardless of when issued): biology, business, chemistry, earth science, English, French, German, general science, history and social studies, Italian, Latin and classical humanities, Mandarin Chinese, mathematics, Portuguese, physics, Russian, Spanish, and any other world language.

The Act allows those holding an initial, provisional, or professional educator certificate and scoring a satisfactory evaluation on the appropriate SBE-approved subject area assessment to be issued a cross endorsement in the relevant certification endorsement area. This provision does not apply to the endorsement areas of special education, teaching English to speakers of other languages, bilingual, remedial reading and remedial language arts, or school library media specialist.

Occupational Teacher Certification

Initial educator certificates may also now be issued for **occupational subjects in CTECS** to an applicant who has 1) obtained a high school diploma or its equivalent, 2) completed five years in the field for which the certificate is sought, 3) completed a minimum of six semester hours teaching vocational instruction,; and 4) completed a course of study of at least three semester hours in education that focuses on the growth of exceptional children. Those who are deficient in the course instruction requirements may receive an interim certificate, valid for one year, which may be reissued for a second year.

An initial certificate may also be issued for **trade occupations in (non-CTECS) high schools** to an applicant who 1) provides a written request to the board of education, 2) obtains a high school diploma or its equivalent, 3) completes three years in the relevant field of work experience, 4) completes six hours of credit in such education areas, and 5) completes three or more semester hours in relevant fields for exceptional children.

CEPCB And Review of Educator Preparation and Certification

This Act creates the new 16-member **Connecticut Educator Preparation And Certification Board** (CEPCB) for the purpose of modernizing and aligning educator preparation and certification to attract and retain diverse professionals into teaching, and developing proposals for regulations or legislation relating to educator preparation and certification. The CEPCB is to submit its first annual report to the Education Committee by January 1, 2026.

FMLA and Non-Certified School Employees

Public Act 24-41 also reduces (effective July 1, 2024) the number of work hours that *any* **noncertified** school employee needs to qualify for federal FMLA benefits from 1250 hours in the previous 12-month period to 950 hours during the previous 12-month period, as long as they have been employed by the employing local or regional board of education for at least 12 months. This reduced threshold previously just applied to paraprofessionals. Effective October 1, 2024, this Act will also allow any such non-certified school employee may also request leave to serve as an organ or bone marrow donor, subject to the same hourly requirement listed above.

The Act changes the term "paraprofessional" to "paraeducator" throughout the education statutes. And in speaking of …

Paraeducator Professional Development Funding

Public Act 24-81 requires that by September 1, 2024 the SDE distribute federal American Rescue Plan Act funding to boards of education on a pro-rata basis to cover the cost of providing professional development and in-service training to such paraeducators.

Insurance Subsidies for Paraeducators and Boards of Education

The Act extends and amends the terms of a paraeducator insurance health savings account (HSA) deductible subsidy program that was introduced last year and creates a new subsidy program for boards of education that provide health insurance coverage to paraeducators and their dependents. First, under this year's legislation, for fiscal year 2024-25 any paraeducator employed by a board of education who opens a HSA or who is Medicare-eligible and enrolls in a high deductible health plan (HDHP), automatically becomes eligible for a state subsidy for reimbursement for a portion of the value of the deductible of the paraeducators health insurance minus the value of any HSA or health reimbursement account (HRA) contributions by the employing board of education. This year's legislation authorizes the State Comptroller to work with boards of education in distributing such subsidy.

Secondly, with respect to the new subsidy program, the Act directs the State Comptroller to create a new subsidy program for boards of education that provide qualifying insurance coverage to paraeducators and their dependents (either through the State Partnership Plan 2.0 or most other non-HDHP/HSA health insurance plans, e.g., PPO, POS plans). The amount of such subsidy provided to a board of education cannot exceed 10% of the aggregate premium for paraeducator coverage (including employee premium cost sharing) divided by the number of paraeducators enrolled in such coverage. Additionally, the Act provides that such subsidy payments by the Comptroller must be used to offset employee premium cost share costs.

The Act directs the State Comptroller and SDE to enter into a MOU for purposes of implementation of these subsidy programs. The General Assembly has appropriated an aggregate total of $5,000,000 for such subsidy programs, so presumably all subsidies awarded will be limited by the overall amount that has been appropriated statewide. Finally, the Act also repeals a program

that was implemented last year that authorized the Controller to award stipends to eligible paraeducators for the purchase of silver-level health plans through Access Health CT.

Task Force on Athletic Trainer Shortage

Special Act 24-17: An Act Establishing a Task Force to Study the Shortage of Athletic Trainers in the State. This Special Act establishes a task force, comprised of various members of the General Assembly and their appointees, to study the shortage of athletic trainers in Connecticut and examine ways to increase the number of athletic trainers in the state through recruitment and educational incentives. The task force shall submit a report on its findings and recommendations to the General Assembly's Public Health Committee no later than January 1, 2025.

IMPACT: It goes without saying that the streamlining of certification provisions will be appreciated by schools. In addition, the lowering of the threshold for FMLA eligibility for all non-certified school employees is a very significant change that HR directors, business managers and others responsible for FMLA administration and other issues will need to be mindful of.

Early Childhood

Early Start CT

Public Act 24-78 establishes a new "Early Start CT" program to be administered by the OEC that is designed to provide and coordinate state funding to early care and education programs in Connecticut. As part of the program, the Act authorizes the Commissioner of OEC to enter into direct and third-party contracts with municipalities, boards of education, RESCs, family resource centers, Head Start programs, preschool programs, nonprofit organizations and other early childcare providers for the purpose of operating early care and education programs that focus on providing early childhood services based on economic, social or environmental conditions, including in regions with insufficient access to child care. Funding eligibility for contracts under Early Start CT is limited to programs in which at least 60% of the eligible children enrolled are members of a family that is at or below 75% of the state median income. OEC licensed childcare centers or SDE-approved preschool programs run by a board of education or RESC are eligible for funding. Finally, with respect to funding eligibility, the Act mandates that the majority of programs receiving assistance be located in priority or former priority school districts or towns with schools deemed severe need schools because 40% or more of the lunches served are served to students who are eligible for free or reduced-price lunches pursuant to federal law.

In connection with the Early Start CT program, the Act also establishes "local or regional governance partners" to assist in the provision of early care and education. Local governance partners may be comprised of a town or school district and appropriate representatives of groups or entities interested in early care and education in such town or school district, while regional governance partners may be comprised of two or more towns or school districts and appropriate

representatives of groups or entities interested in early care and education. Membership of these local and regional governance partners must reflect the racial, ethnic and socioeconomic composition of the town or region it serves and consist of early care and education stakeholders.

Local and regional governance partners are tasked with 1) conducting and administering a data-driven early childcare needs assessment for its respective community or region, 2) employing strategies to solicit parental engagement and membership, 3) providing periodic technical assistance regarding best practices in early care and education and family engagement for its town or region, 4) jointly sponsoring with the office, professional development opportunities, and 5) ensuring that community outreach is regularly conducted and maintained with community stakeholders. The Act also requires local and regional governance partners to employ staff liaisons to aid and support the governance partner's early childcare efforts.

Finally, as part of Early Start CT, the Act also directs the OEC to create a competitive grant program for Head Start grant recipients – including boards of education – to assist in establishing and enhancing extended-day and full-day, year-round Head Start programs.

Office of Early Childhood and Grants/Funding

In addition to the formation of the Early Start CT program, **Public Act 24-78** also imposes new general requirements for all OEC grant recipients. Under the new law, between July 1, 2024 to June 30, 2027, at least 25% of staff members assigned primary classroom responsibility by an early childcare program receiving OEC grant funding must hold a bachelor's degree with a concentration in early childhood education (or its substantial equivalent). From July 1, 2027 to June 30, 2030, the required threshold increases to 50% and on July 1, 2030, the threshold increases to 60%. The law creates exceptions to this requirement for family run childcare centers and in certain circumstances where a staff member with an associate degree in early childhood education (or its substantial equivalent) is under the supervision of a staff member with a bachelor's degree.

The Act also authorizes the OEC to allocate funding to RESCs, boards of education, childcare centers, group childcare homes and family childcare centers for the provision of professional development services, technical assistance and evaluation and program planning and implementation activities. Additionally, the Act removes an existing $300,000 per town annual cap on Connecticut Smart Start grants that may be awarded to boards of education for establishing or expanding preschool programs. Under current law, Smart Start grants may be used by school boards for preschool classroom renovation costs and may be awarded on a per-child basis of up to $5,000 per child and $75,000 per preschool classroom. School boards may receive such grants for up to five years provided the preschool program meets OEC preschool program standards.

Public Act No. 24-91: An Act Concerning Early Childhood Care and Education. This Act redesignates the "Early Childhood Education Fund" as the "*Early Childhood Care and Education Fund*" which shall receive and hold all payments and deposits for the Fund—including gifts, bequests, endowments, or federal, state or local grants and any other funds from any public or private source. The amounts on deposit in the fund shall only be used for the purposes of supporting early childhood education in, and childcare needs of, the state. The Act establishes the Early Childhood Care and Education Fund Advisory Commission, which shall review and report on the

financial health and status of the Early Education Childhood Fund, submit by January 1, 2026 a five-year plan to the General Assembly on expenditures from said fund that would best support early childhood education/childcare needs, and make recommendations for legislative changes.

The Act mandates that the OEC, within available appropriations, establish a **Tri-Share Child Care Matching Program serving New London County**. Under such program, costs for child care provided by duly licensed child care facilities in the state shall be shared equally among any participating employers, employees and the state. The Act requires for the 2024-2025 fiscal year that the OEC establish and administer a wage supplement payment program to provide a one-time payment of not less than $1,800 to eligible early childhood teachers and teacher assistants, provided each eligible applicant receiving a payment under the program shall receive the same payment amount. Such payments shall be provided on a first-come first-served basis up to the amount made available for such payments ($9 million).

The Act requires the Commissioner of OEC to notify the Secretary of OPM as to whether available surplus state properties can be used for the provision of early childhood care and early childhood education programs. The Act requires the Commissioner of OEC by December 1, 2024, in consultation with a nonprofit organization providing entrepreneurial and financial education services to women, to develop a document for distribution to childcare centers and homes explaining the benefits of maintaining liability insurance coverage for such centers or homes and the potential consequences that may result in the absence of such coverage. Not later than January 1, 2025, and annually thereafter, the Commissioner shall distribute such document electronically to each childcare licensee. The Act also states that the one-page document required for conspicuous placement on the grounds of the childcare facility that describes and lists children's different developmental milestones are not required in centers or homes that serve school-age children exclusively.

The Act expands its prior definition of "at-risk" populations to include children "adopted through the Department of Children and Families", who are homeless, or under the care of a caregiver who receives subsidies through the subsidized guardianship program and provides that such at-risk children are eligible to receive a subsidy from the Care 4 Kids program for one year. The Act repeals the requirement that the OEC issue Care 4 Kids program regulations and instead requires the OEC to administer the program using federal childcare development fund program regulations (and to develop policies and procedures necessary to implement such regulations).

Finally, the Act requires every licensed childcare center, group childcare home or family childcare home to allow a child who has an **individualized family service plan** and is eligible for the birth-to-three program to receive early intervention services at such center or home from the service provider designated in the individualized family service plan.

Miscellaneous

CTECS

Public Act 24-78 makes a number of changes with respect to the administration of CTECS that follow CTECS' recent transition into its own state agency independent of the SDE. The Act explicitly authorizes CTECS to allocate funds to RESCs for professional development services, technical assistance, special education services and evaluation activities. In addition, the Act amends CTECS' organizational statutes to now require CTECS to offer extracurricular programs in vocational, technical, technological and postsecondary education and training as well as administering technical high schools throughout the state. Under prior law, CTECS was just permitted to offer extracurricular programs.

The Act also aligns CTECS' enrollment standards with recent special education changes authorizing continued enrollment in CTECS' high schools until a student receives a diploma or its equivalent or has completed the school year in which such student reaches 22 years of age. The new law likewise aligns CTECS' special education obligations with respect to providing and funding **transition programs** as outlined above, with CTECS, as opposed to the school district in which the student resides being responsible for such services. The Act also provides that for homebound students who will be attending CTECS' schools, CTECS (rather than the school district in which the student resides), shall be responsible for convening a PPT prior to the student's enrollment in CTECS.

Plan to Convert the State Board of Education into Advisory Board

Section 121 of **Public Act 24-81** directs the Commissioner of the SDE to develop a plan by January 1, 2026 for submission to the General Assembly's Education Committee to convert the SBE into an advisory board rather than a "department head" and to instead make the Commissioner of the SDE the agency's "department head." Under state law, "department heads" are vested with ultimate decision-making authority for an executive branch agency and may create advisory boards on their own initiative as they deem necessary.

SERC Funding

Section 125 of **Public Act 24-81** amends existing law by mandating that the SDE allocate funds to the State Education Resource Center for professional development services, technical assistance and evaluation activities, policy analysis and other forms of assistance to be provided to boards of education, charter schools, CTECS and other educational entities.

Reading Leadership Implementation Council

Public Act 24-93 establishes that with respect to the Reading Leadership Implementation Council (which manages the Center for Literacy Research and Reading Success), the initial terms of the original members of the Council will expire on June 30, 2024, and subsequent appointments shall be made by July 1, 2024. Members of the Council may serve two-year terms and are permitted to serve consecutive terms.

Freedom of Information Act and Law Enforcement Records Exemptions

Public Act 24-56: An Act Exempting Certain Law Enforcement Records From Disclosure Under The Freedom Of Information Act. This Act, which took effect on July 1, 2024, amends Connecticut's Freedom of Information Act (FOIA) by expanding exemptions for certain law enforcement records so as to also exempt records resulting in the disclosure of the identities of mandated reporters (of child abuse and neglect). The Act also expands current FOIA exemptions for photographs, film, video or digital or other visual images depicting the victims of homicide so as to now include any such records of a minor, along with 1) a victim of domestic or sexual abuse, homicide, or suicide, or 2) deceased victim of an accident, if disclosure could reasonably be expected to constitute an unwarranted invasion of the personal privacy of the victim or victim's surviving family members.

FOIA and the Superior Courts

Public Act 24-108: An Act Concerning Court Operations and Administrative Proceedings. Sections 31 and 33 of **Public Act 24-108** provides that in matters involving a failure/refusal by the Freedom of Information Commission (FOIC) to schedule a hearing, or in an appeal of a decision by the FOIC to grant relief to a public agency against a "vexatious requester", the person bringing the appeal may bring it in the judicial district in which the applicable public agency is located, as opposed to the Judicial District of New Britain.

"Technical Revisions"

Public Act 24-29: An Act Concerning the Legislative Commissioners' Recommendations for Technical Revisions to the Education and Early Childhood Statutes. As the name suggests, this Act makes various non-substantive technical changes to the education statutes which are grammatical in nature.

IMPACT: The Act helps clarify the relationship between CTECS and sending school districts, especially with respect to special education transition issues.

Labor and Employment

Paid Sick Leave

Public Act 24-8: An Act Expanding Paid Sick Days in the State. This Act will revise the state's current paid sick leave law by eventually covering nearly all private sector employers. Currently, the paid sick law just applies to those employers with at least 50 employees in Connecticut **and** just to "service workers". The Act will extend coverage to 1) employers with at least 25 employees in the state on January 1, 2025, 2) employers with at least 11 employees in the state on January 1, 2026, and then 3) all employers on January 1, 2027. The Act also changes the

date by which the number of employees is measured from October 1st to January 1st. In addition, instead of just covering "service workers," all private sector employees, with the exception of certain unionized construction workers and seasonal employees, will be covered by the paid sick leave law.

The Act makes various other changes to the paid sick leave law that generally take effect on January 1, 2025. The Act expands the permissible use of leave under the paid sick leave law by broadening the types of family members for whom an employee may use the leave (for care) from just children and spouses to also include adult children, siblings, parents, parents-in-law, grandparents, grandchildren, and an individual "related to the employee by blood or affinity whose close association the employee shows to be equivalent" to these family relationships (which is similar to the provisions of Connecticut's Family and Medical Leave Act).

The Act also expands the reasons for which an employee may use paid sick leave to include a) when the employer's place of business is closed by order of a public official due to a public health emergency, or when an employee needs to care for a family member whose school or place of care has been closed by such an order, or b) where the employee or family member poses a risk to the health of others due to the employee's or family member's exposure to a communicable illness (regardless of whether the employee or family member has actually contracted the illness). The Act also permits a family member of a victim of domestic violence (not just the victim) to use paid sick leave for domestic violence related reasons. Interestingly, the paid sick leave law was amended last year to include a "mental wellness day."

The Act provides that employers may be in compliance with the paid sick leave law if they provide any other paid leave or combination of leave (including vacation, personal days, or other paid time off) that equals or exceeds the amount provided under the law, provided that employees can use such leave for any of the reasons for leave under the law. **However, the Act specifically provides that employers cannot require an employee to provide documentation that the leave is being taken for one of the purposes permitted under the paid sick leave law.**

Further, the Act increases the rate at which employees accrue leave (one hour accrued for every 30 hours worked instead of the current 40 hours). For newly covered employees, leave will begin accruing as of the date they become covered by the law or, if later, on the employee's first date of employment. The Act will now permit employees to first use paid sick leave on or after their 120th calendar day of employment. In addition, with respect to the employees' right to carry over 40 hours of leave to the following year, the Act will allow employers to instead provide employees with an amount of leave that both 1) meets or exceeds the paid sick law minimum, and 2) is available for immediate use at the beginning of the next year.

The Act provides that exempt employees (i.e., salaried employees not entitled to overtime pay) shall be assumed to work 40 hours in each work week for purposes of paid sick leave accrual, unless their normal work week is less than 40 hours, in which case paid sick leave shall accrue based upon the hours worked in that normal work week. The Act also clarifies that the paid sick leave entitlement continues even if the employee is transferred to another division, entity or worksite of the employer, or if there is a successor employer. The Act prohibits an employer from

requiring that the employee search for or find a replacement worker to cover the hours for which the employee is using paid sick leave as a condition for receiving such leave.

The Act imposes further record keeping and notice/posting requirements on employers, including a notice of rights to be provided to all employees no later than their time of hire or January 1, 2025, whichever is later. The Department of Labor is required to develop a model notice as well as a new poster that employers must display. The Act also establishes a task force to study the provision of paid sick leave tax credits for employers with five or less employees, effective upon passage. The task force must submit a report with its findings and recommendations to the General Assembly's Labor and Public Employees Committee by January 1, 2025.

IMPACT: Via the legislative history, the paid sick leave law appears to not be applicable to public sector employers, but its applicability has never been litigated.

Paid Family Leave Program

Public Act 24-5: An Act Concerning Changes to the Paid Family and Medical Leave Statutes. This Act makes various changes to Connecticut's Paid Family and Medical Leave program (PFMLA) which become effective October 1, 2024. Among other changes, the Act clarifies that for purposes of coverage under the PFMLA program a "municipality" includes each and any metropolitan district, town, consolidated town and city, consolidated town and borough, city, borough, village, fire and sewer district, sewer district and each municipal organization having authority to levy and collect taxes. This clarification is significant because municipalities like boards of education are only subject to the PFMLA if they have negotiated inclusion in the program with a bargaining unit. **Interestingly, one effect of this "clarification" may to be ensure that transit districts and housing authorities are now covered by the PFMLA**.

Second, the Act clarifies that PFMLA recipients cannot receive paid PFMLA benefits concurrently with workers' compensation or unemployment benefits but may receive victim compensation benefits through the Office of Victim Services with the Judicial Department so long as the total compensation received does not exceed the employee's regular rate of compensation. The Act also requires the PFMLA Authority to develop an informational poster to be posted by health care providers regarding the PFMLA program. The Act also expands coverage under state FMLA – and the PFMLA program – to victims of sexual assault as well as victims of family violence.

Public Act 24-102: An Act Clarifying the Appeals Process Under the Paid Family and Medical Leave Statutes. As the title suggests this Act clarifies certain procedural requirements with respect to the appeals process for the denial of claims for compensation, or the imposition of penalties, under Connecticut's Paid Family and Medical Leave Insurance Program. Among other technical changes, the Act sets a thirty-one-day appeal period for a party to appeal to the Superior Court from an initial decision by the state Department of Labor and limits the scope of any appeal to the Superior Court to the record from the proceedings before the Department of Labor. Similar to unemployment compensation appeals.

Boards of educations are not covered by Connecticut's Paid Family and Medical Leave Act unless they have negotiated inclusion in the program with a district bargaining unit. Nonpublic elementary and secondary schools are likewise excluded from coverage.

IMPACT: Changes to PFMLA are only relevant for boards of education if you become covered by the program.

Public Act 24-147: An Act Making Changes to and Repealing Obsolete Provisions of Statutes Relevant to the Labor Department makes several changes to Connecticut labor law. Among other changes, the Act amends Conn. Gen. Stat. §31-225a(j)(1) to require as of the third quarter of 2026 that employers subject to quarterly reporting of wages use the zip code of the employee's primary worksite rather than the zip code of the employer's business mailing address. This provision will take effect January 1, 2025. The Act exempts violations of the state's paid sick leave law from the general $300 civil penalty for violations of the state's wage and employment regulation laws, leaving them subject only to the penalties set forth in the paid sick leave law. The Act repeals Conn. Gen. Stat. §31-51o—which required certain employers that relocated or closed a facility to pay for continuation of employees' health insurance coverage—because the federal Employee Retirement Income Security Act preempts this provision. The Act explicitly authorizes the Commissioner of Labor to enter into contracts as may be necessary for all programs, activities, services, and grants under the jurisdiction of the Department of Labor.

Municipal Employees Retirement Commission And Municipal Defined Contribution Plan

Public Act 24-151 creates the Municipal Employees Retirement Commission and commencing on January 1, 2025, transfers responsibility for the Municipal Employees Retirement System (MERS) and the Policemen and Firemen Survivors' Benefit Fund from the State Employees Retirement Commission (SERC) to the new commission. The Act specifies the membership of the new commission, along with its powers, which largely mirror SERC vis-a-vis MERS.

The Act further requires the Comptroller (on or after July 1, 2025) to create a municipal defined contribution retirement plan and prescribe the manner in which such plan may be adopted by any municipality. Any such retirement plan shall provide that a municipality that adopts the plan shall have the option to transfer to the plan the accounts and assets of any defined contribution retirement plan previously adopted by the municipality. Payroll deductions for each member of the defined contribution plan shall be made by the municipal employer. The Comptroller shall serve as the administrator of this plan and may 1) enter into contractual agreements on behalf of the state with members of the plan to defer any portion of a member's compensation from the adopting municipality, 2) make deposits or payments to the plan, and 3) contract with a private corporation or institution for the provision of administrative services for the plan.

IMPACT: The defined contribution plan developed for MERS may provide an option for all municipal employers to consider in negotiations with non-certified/municipal unions.

College Degree Requirement for State Employees

Public Act 24-151 prohibits the DAS from requiring a college degree for a position in the state employee classified service unless the appointing authority determines it to be a bona fide occupational qualification or need.

Joint Appointments of Municipal Officials

The Act authorizes regional councils of government (COGs) or groups of two or more municipalities that are parties to an interlocal agreement for shared services or regional services agreement to make appointments on behalf of such municipalities for municipal functions that are subject to such a shared services or regional services agreement. OPM is empowered to issue regulations regarding this provision.

Study of Workers' Compensation Coverage for Students

Special Act 24-16: An Act Establishing a Task Force to Study Workers' Compensation Coverage for Students of Regional Agricultural Science and Technology Centers establishes a task force, comprised of various members of the General Assembly and their appointees, to study workers' compensation coverage for students of Agricultural Science and Technology Education (ASTE) centers who are enrolled in a public work-study program or an internship. The task force is required to submit its findings and recommendations to the General Assembly's Labor and Public Employees Committee no later than January 1, 2025.

FOIA and Exemptions for Residential Addresses

Public Act 24-148: An Act Concerning Election Security And Transparency… . In Section 31 of this omnibus bill, the FOIA was amended so that the residential addresses of the following persons are now exempt from disclosure: any person who is a municipal clerk, registrar of voters, deputy registrar of voters, "election official", "primary official" or "audit official", provided such an individual has submitted a written request for such non-disclosure and has provided a business address (or if lacking a business address, the applicable town hall or city hall where the registrar's office is located).