



## 2010 Major Education Legislation

### Race to the Top

Connecticut submitted an unsuccessful application for the first round of federal Race to the Top funding. The Education Committee chairmen identified as their number one priority an agenda that promoted an enhanced application for the second round of Race to the Top. A number of proposals were submitted, and as is the customary practice with Education bills, many concepts were rolled into an omnibus piece of legislation known as the “Race to the Top” bill. The vehicle was [SB 438 AAC Charter Schools](#), and the final package included the following:

- Require high school students take more math and science courses, and require foreign language courses to graduate.
- Set up a framework to tie a teacher’s performance evaluation to the academic growth of the students
- Empower the State Board of Education to authorize the SDE Commissioner to reconstitute local boards of education in underperforming districts under certain criteria.
- Require schools to offer advanced placement classes.
- Require high school students to take end of year exams in core subjects
- Require high school seniors to complete a “capstone project” in order to graduate
- Require schools to hold parent teacher conferences twice a year
- Require school governance councils made up of mostly parents that can recommend reconstituting a failing school to increase student performance
- Lift enrollment caps at high performing charter schools
- Establish an alternative route to certification for school administrators
- Allow struggling school systems to convert an existing school or build a new one as an “innovation school” to improve performance.
- Modified the in-school suspension law taking effect July 1, 2010 to allow out of school suspensions in scenarios where previous disciplinary problems have led to suspensions *and* other efforts have been made to address the behavior other than expulsion or suspensions.

The bill incorporated a compromised re-draft of the Black and Puerto Rican Caucus’ achievement gap bill without the “parent trigger”. It does include governance councils made up of mostly parents that can make recommendations, but lacks the ability to reconstitute a school. The “parent trigger” proposal that was

originally included in [HB 5491, AAC School District Reforms to Reduce the Achievement Gap in Connecticut](#), did not pass the General Assembly.

### **Seatbelts on School Buses**

This was an issue that gained significant traction leading up to the session with the tragic death of a student involved in a school bus accident. A bill was proposed, [HB 5033, AA Requiring the Installation and Use of Safety Belts on School Buses](#), which would have required that by 2011, all school buses are equipped with 3-point safety belts. The bill proposal was voted favorably out of the Transportation Committee with substitute language that would have instead required that all new buses (model 2012 or later) be equipped with 3-point safety belts. The bill passed the Transportation Committee 29-7.

Because of the fiscal impact, the bill was subsequently referred to the Appropriations Committee which replaced the underlying bill with a requirement that the commissioners of DMV and SDE study the fiscal impact and safety issues associated with requiring safety belts on school buses.

The bill reached the House of Representatives and was again stripped of the underlying language and replaced with a program that required the DMV to administer a program through 2017 to provide a reimbursement of 50% of the sales tax associated with purchasing of school buses that have safety belts equipped. The bill creates a school bus seat belt account as a separate non-lapsing account in the General Fund. Funding for the account comes from increasing, from \$125 to \$175, the fee to restore a suspended or revoked (1) driver's license or right to operate a motor vehicle, (2) right to operate a commercial motor vehicle, and (3) motor vehicle registration or right to register a motor vehicle. There is not a requirement in the bill that districts use buses with safety belts, but rather attempts to encourage the procurement of school transportation through financial incentive.

### **RESC Prohibition on School Transportation**

Legislation was submitted to the Education committee early in the session that would have prohibited regional education service centers from providing transportation services to its member districts if other qualified bidders seek the contract. It was [SB 280, AAC School Transportation](#). Also included in a different section of the bill was a provision that allowed districts to reduce the transportation provided to students who don't utilize the buses to lower costs. The RESC prohibition in the bill was supported by the CT School Transportation Association (COSTA).

The committee voted favorably on SB 280 with language that stripped the bill of its original language and instead included greatly increased fines for inspection violations on vehicles transporting school children. The bill never received a vote in the Judiciary committee and died by lack of action.

### **Minimum Budget Requirement**

[HB 5490, AAC the Minimum Budget Requirement and Various Education Grants](#) had three sections:

1. Allowed towns whose school districts had fewer students enrolled in the 09-10 school year than in the 08-09 school year to reduce the minimum budgeted appropriations by \$3000 per difference in per pupil enrollment.
2. Extends to FY 10 the authority of the SDE Commissioner to provide supplemental transportation grants to RESCs for magnets (within available appropriations), and
3. Requires East Hartford to receive an ECS grant at least equal to its fixed entitlement for FY 2009.

The Minimum Budget Requirement portion of the bill was primarily supported by elected officials representing East Hartford, and it was opposed by a number of organizations representing constituencies in education. There weren't any testifiers on the section extending supplemental transportation grants to RESCs.

The bill passed unanimously out of the Education Committee and passed nearly along party lines out of the Appropriations Committee. The bill passed in concurrence unanimously by both chambers.

### **Special Education/Burden of Proof**

Rome Smith & Lutz conducted research on the burden of proof language for special education placements. It was discovered that a State Department of regulation (not statute) required that the burden of proof in such cases rested with the school district, regardless of which party requested a hearing. We were able to get introduced a section in [HB 5425, AAC Special Education](#) that would have altered that requirement to place the burden of proof on the party requesting the hearing. During the hearing on this bill, which took place on March 8<sup>th</sup>, students and organizations of parents of special education students testified in opposition to that particular section in huge numbers. It was not the will of the committee to pursue that section, despite a cost savings to the districts. The bill was voted favorably out of the Education Committee, but did not include the language modifying the burden of proof. When the bill came up for a

debate in the House, it was mentioned by members of the Republican caucus that this is an issue that should be revisited in future legislative sessions.

**Family Medical Leave for Paraprofessionals**

There was a bill introduced to the Labor and Public Employees Committee this session that allowed for paraprofessionals to qualify for unpaid leave through the federal Family Medical Leave Act. [SB 300, AAC](#) [Family and Medical Leave Benefits for Certain Municipal Employees](#) would have allowed paraprofessionals working at least 700 hours in a 12 month period to qualify for this benefit. The bill was not taken up by the House prior to the May 5<sup>th</sup> adjournment, and died by lack of action.