

Series: 2003-2004
Circular Letter: C-9

TO: Superintendents of Schools

FROM: Theodore S. Sergi, Commissioner of Education

DATE: August 19, 2003

SUBJECT: **Final Summary of Education Legislation Enacted in the 2003 Regular Session**

On June 13, 2003, I provided you with a circular letter highlighting the major education legislation passed by the 2003 Regular Session of the General Assembly (2002-03 Circular Letter C-11). Subsequently, a special legislative alert concerning the rehiring of retired teachers and testing times for students in grades 7 to 12, inclusive, was sent to you (2003-04 Circular Letter C-2). Now, for your use is a more comprehensive summary of all of the public acts which are of general applicability and interest to school districts and were enacted during the 2003 Regular Session of the General Assembly.

However, please note that at the time of the preparation of this letter, the General Assembly had not yet completed the June 30, 2003, Special Session and the Governor had not yet signed into law a state budget for 2003-04 and 2004-05. When those things happen, I will be providing you with additional information.

In reviewing this summary, please keep the following in mind:

- o While comprehensive, this document does not describe every public or special act affecting the operation of a school district or provide every detail of the acts that are summarized. When specificity is required, the actual statutory language should be reviewed. The public acts described in this letter are available on the Department of Education's website at <http://www.state.ct.us/sde/legal/bills2003.htm>. If you have questions about accessing this information or would like a copy of a particular bill, please call Marybeth Aleskwiz at (860) 713-6520.
- o Each narrative entry is followed by a section number and effective date. The section number refers to the section of the public act that has been summarized. In some cases only selected sections of an act have been included.

- o Selected public acts concerning matters under the jurisdiction of state agencies other than the Department of Education have been included for your information. Questions concerning those acts should be directed to the appropriate state agency.
- o P.A. means Public Act.

To assist you, also included are:

- o An index to key legislation; and
- o A table that lists the sections of the Connecticut General Statutes and public acts which have been amended or repealed by the summarized legislation (Attachment A).

Please use this circular letter as a supplement to the State Board of Education's book, Connecticut Education Laws as of January 1, 2001. Since that book also does not contain legislation enacted in 2001 and 2002, you may want to refer to the summaries of the education laws enacted in the 2001 and 2002 General Assembly Sessions (2001-02 Circular Letter C-7 dated August 17, 2001, and 2002-03 Circular Letter C-10 dated August 15, 2002). These circular letters are available on the department's website (www.state.ct.us/sde) under the heading "Commissioner."

If you have any questions about the new legislation, Department of Education staff members are ready and willing to help you. In most cases you will know from past experience whom to consult. However, if you do not know whom to contact or have general questions about this letter, please contact Attorney Katherine Nicoletti of the Office of Legal and Governmental Affairs at (860) 713-6520 or at: katherine.nicoletti@po.state.ct.us.

TSS:knb
Attachments

INDEX TO KEY 2003 LEGISLATION

Page

ADULT EDUCATION

Civics required for diploma (P.A. 03-100).	7
Computer equipment reimbursement (P.A. 03-100).	7
Incumbent worker pilot program (P.A. 03-102).	8

DEPARTMENT OF EDUCATION (STATE BOARD OF EDUCATION)

Administration of medications (P.A. 03-211).	13
After-school committee (P.A. 03-206).	13
Birth-to-three teaching as nonpublic school teaching experience (P.A. 03-168)	9
Glucose self-testing guidelines (P.A. 03-211).	14
Kindergarten endorsements (P.A. 03-168).	9
Permits and authorizations (P.A. 03-168).	9
Reading instruction course requirement (P.A. 03-168).	10
Regulations, administration of medications (P.A. 03-211)	13
Regulations, teacher certification (P.A. 03-168)	10

EDUCATORS

Beginning educator support and training program (P.A. 03-174).	10
Birth-to-three teaching as nonpublic school teaching experience (P.A. 03-168) .	9
Kindergarten endorsements (P.A. 03-168).	9
Permits and authorizations (P.A. 03-168).	9
Private sector specialists to teach in shortage areas (P.A. 03-66).	7
“Pupils and teachers of racial minorities” (P.A. 03-174).	11
Reading instruction course requirement (P.A. 03-168)	10
Regulations concerning teacher certification (P.A. 03-168).	10
Retired teacher reemployment (P.A. 03-232)	18
Social workers licensed by Department of Public Health (P.A. 03-252)	19

GRANTS

Adult education, reimbursement for computer equipment (P.A. 03-100).	7
No-nexus state-agency-placed children (P.A. 03-174)	11
School construction (see SCHOOL CONSTRUCTION, below)	
Technology plans (P.A. 03-174).	11
Youth service bureaus (P.A. 03-174).	11

HEALTH

Advanced practice registered nurses (P.A. 03-211)	13
Automatic prefilled cartridge injectors, paraprofessionals and volunteers (P.A. 03-211).	13 & 14
Automatic prefilled cartridge injectors, student transportation (P.A. 03-211). . . .	13

HEALTH (Continued)	<u>Page</u>
Child day care services, religious educational activities (P.A. 03-252)	18
Glucose self-testing (P.A. 03-211).	14
Immunization and health assessment reports (P.A. 03-211).	14
Indoor air quality in schools (P.A. 03-220).	16
Medication administration, paraprofessionals (P.A. 03-211).	13
Medication administration, physical and occupational therapists (P.A. 03-211) .	13
Medication administration, regulations (P.A. 03-211)	13
Psychotropic drug policies (P.A. 03-211).	14
Social workers licensed by Department of Public Health (P.A. 03-252)	18
 INTERDISTRICT PROGRAMS	
OPEN Choice program lottery preferences (P.A. 03-168).	9
 PRIORITY SCHOOL DISTRICTS	
After-school program fees (P.A. 03-174).	12
Summer school (P.A. 03-174).	11
 SCHOOL CONSTRUCTION	
Contractor evaluation forms (P.A. 03-215)	15
Entrances to places of public assembly (P.A. 03-231)	17
Indoor air quality emergencies, reimbursement for (P.A. 03-220).	16
Plan approvals (P.A. 03-220).	17
Pre-qualification of bidders (P.A. 03-215)	14 & 15
Project status reports (P.A. 03-215).	17
Site assessments (P.A. 03-220).	17
Square footage maximum (P.A. 03-220)	17
 SCHOOL DISTRICTS	
Address confidentiality program (P.A. 03-200).	12
Adult education (see ADULT EDUCATION, above)	
Beginning educator support and training program (P.A. 03-174).	10
Birth-to-Three program student notification (P.A. 03-174)	9
Blind and visually impaired students (P.A. 03-219).	15 & 16
Connecticut Aviation Pioneer Day (P.A. 03-29).	6
Emergency exit announcements (P.A. 03-231).	17
Facility maintenance (P.A. 03-220)	16
Fund raising for educational organizations (P.A. 03-178)	12
Grants (see GRANTS, above)	
Health (see HEALTH, above)	
Heating, ventilation and air conditioning operation and records (P.A. 03-220). .	17
Immunizations, proof of for higher education institutions (P.A. 03-13)	6
Indoor air quality committees (P.A. 03-220)	17
Indoor air quality in schools (P.A. 03-220).	16

SCHOOL DISTRICTS (Continued)**Page**

In-service training, exceptional children (P.A. 03-211)	14
Invasive plants (P.A. 03-136).	8
Juneteenth Independence Day (P.A. 03-79).	7
Kindergarten endorsements (P.A. 03-168)	9
Paraprofessional wage payment schedules (P.A. 03-11)	6
Priority school districts (see PRIORITY SCHOOL DISTRICTS, above)	
Private sector specialists to teach in shortage areas (P.A. 03-66).	7
“Pupils and teachers of racial minorities” (P.A. 03-174).	11
Retired teacher reemployment (P.A. 03-232)	18
Safe driving practices courses (P.A. 03-171).	10
Student health (see HEALTH, above)	
Students as poll workers on school days (P.A. 03-108).	8
Student test administration (P.A. 03-168 and 03-174).	8 & 9
Technology plans (P.A. 03-174).	11
Test scores, recording of (P.A. 03-174)	10
Transportation and cartridge injectors (P.A. 03-211)	13

SPECIAL EDUCATION

Blind and visually impaired students (P.A. 03-219).	15 & 16
Blind, disabled or mentally retarded person, crime of abuse of a (P.A. 03-267).	19
Individualized education programs in juvenile delinquency case reports (P.A. 03-86)	7
In-service training, exceptional children (P.A. 03-211)	14
No-nexus state-agency-placed children (P.A. 03-174)	11

STUDENTS

Adult education, civics requirement (P.A. 03-100).	7
After-school program fees (P.A. 03-174).	12
Automatic prefilled cartridge injectors, paraprofessionals and volunteers (P.A. 03-211).	13 & 14
Automatic prefilled cartridge injectors, student transportation (P.A. 03-211).	13
Birth-to-Three program student notification (P.A. 03-174).	9
Blind and visually impaired students (P.A. 03-219)	15 & 16
Blind, disabled or mentally retarded person, crime of abuse of a (P.A. 03-267)	19
Health (see HEALTH, above)	
Immunizations, proof of for higher education institutions (P.A. 03-13).	6
Individualized education programs in juvenile delinquency case reports (P.A. 03-86).	7
OPEN Choice program lottery preferences (P.A. 03-168).	9
Poll work on school days (P.A. 03-108).	8
“Pupils and teachers of racial minorities” (P.A. 03-174).	11
Safe driving practices courses (P.A. 03-171).	10
Student voter registration drive (P.A. 03-54)	6
Test administration (P.A. 03-168 and 03-174).	8 & 9
Test scores, recording of (P.A. 03-174).	10

**PUBLIC ACTS
REGULAR SESSION**

P.A. 03-11

AN ACT CONCERNING PARAPROFESSIONALS

- o Allows boards of education and bargaining representatives for certain paraprofessionals to include in collective bargaining agreements **schedules for wage payments** that differ from the schedules required under state labor laws for employees generally. The paraprofessionals to whom this applies are those who hold positions that do not require a certificate issued by the State Board of Education and who serve as instructional or administrative assistants. Under existing law, collective bargaining agreements for certified employees of boards of education can already include such different wage payment schedules (Sec. 1, effective July 1, 2003).

P.A. 03-13

AN ACT CONCERNING PROOF OF IMMUNIZATION AGAINST MEASLES AND RUBELLA

- o Provides that students who (1) have graduated from a public or nonpublic high school in Connecticut in 1999 or later and (2) when enrolled in school, were not exempt from offering **proof of immunization** for religious reasons or because immunization would be medically contraindicated do not have to provide proof of such immunizations before being permitted to enroll in an **institution of higher education** in the state (Sec. 1, effective July 1, 2003).

P.A. 03-29

AN ACT CONCERNING CONNECTICUT AVIATION PIONEER DAY

- o Provides that the Governor shall proclaim May 25th of each year to be Connecticut **Aviation Pioneer Day** to commemorate and to honor Igor I. Sikorsky (Sec. 1, effective April 25, 2003).

P.A. 03-54

AN ACT ESTABLISHING AN OFFICIAL STATE-WIDE STUDENT VOTER REGISTRATION DRIVE

- o Requires the Secretary of the State to annually designate a period of time between January 1st and May 31st for a **statewide student voter registration drive** (Sec. 1, effective October 1, 2003).

P.A. 03-66

AN ACT CONCERNING DONATION OF TEACHING SERVICES BY PRIVATE SECTOR SPECIALISTS

- o Allows boards of education that elect to expand their **academic offerings in areas identified** by the Labor Commissioner and Office of Workforce Competitiveness **as workforce shortages** to solicit and use, under certain conditions, qualified private sector specialists, not necessarily certified to teach, whose services to teach in such shortage areas have been donated by business firms (Sec. 1, effective July 1, 2003).

P.A. 03-79

AN ACT DESIGNATING JUNETEENTH INDEPENDENCE DAY

- o Provides that the Governor shall proclaim the Saturday that is closest to June 19th of each year to be **Juneteenth Independence Day** in recognition of the formal emancipation of enslaved African-Americans pursuant to General Order No. 3 of June 19, 1865, in Galveston, Texas (Sec. 1, effective June 3, 2003).

P.A. 03-86

AN ACT CONCERNING SPECIAL EDUCATION SERVICES FOR CHILDREN IN THE JUVENILE JUSTICE SYSTEM

- o Requires juvenile probation officers to include a child's **individualized education program** (IEP), if there is one, in their reports to the court prior to the disposition of a delinquency case (Sec. 1, effective October 1, 2003).

P.A. 03-100

AN ACT CONCERNING ADULT EDUCATION

- o Eliminates the limitation that a board of education's adult education expenditures eligible for state reimbursement for **computer equipment** in any fiscal year not exceed 5% of the board's total eligible expenditures for adult education for the year (Sec. 2, effective July 1, 2003).
- o Requires students who receive adult education diplomas on and after July 1, 2004, to have completed at least a **one-half credit course in civics and American government** as part of the three adult education credits required in social studies. The total minimum number of adult education credits for such a diploma has not been increased (Sec. 3, effective July 1, 2003).
- o Makes a technical change and in the adult education grant formula eliminates two **bonus provisions** for which no district has ever qualified (Secs. 1 and 4, effective July 1, 2003).

P.A. 03-102

AN ACT CONCERNING ADULT EDUCATION AND WORKFORCE DEVELOPMENT

- o Requires the Connecticut Employment and Training Commission to establish a pilot program to allow a regional workforce development board to expand an existing adult education program operated by a board of education to enable **incumbent workers** to participate in the adult education program. For purposes of this act, “incumbent workers” means individuals who need additional skills, training or education in order to upgrade their employment (Sec. 1, effective July 1, 2003).

P.A. 03-108

AN ACT CONCERNING SERVICE BY STUDENTS AS OFFICIAL CHECKERS AT POLLING PLACES

- o Allows a United States citizen who is 16 or 17 years of age to be appointed as a **checker, translator or voting machine tender** in an election or primary after (1) attending poll worker training and (2) receiving the written permission of a parent, guardian or school principal if the person is a secondary school student and is to be appointed to work on a day when school is in session (Sec. 1, effective July 1, 2003).

(For further information about this public act, please contact your local registrar of voters.)

PUBLIC ACT 03-136

AN ACT CONCERNING INVASIVE PLANTS

- o Prohibits, and provides penalties for, the importation, moving, selling, purchasing, possessing, cultivation or distribution of any of the seven **invasive plants** listed in the act (Secs. 8 and 9, effective June 26, 2003).

P.A. 03-168

AN ACT CONCERNING THE FEDERAL NO CHILD LEFT BEHIND ACT AND TEACHER CERTIFICATION

- o Aligns state law with the **testing requirements** of the federal No Child Left Behind (NCLB) Act by (1) adding annual statewide mastery tests for public school students in grades 3, 5 and 7 beginning in the 2005-06 school year and (2) specifying that (A) beginning in 2005-06, the statewide mastery tests for students in grades 3 to 8, inclusive, and 10 shall measure skills in reading, writing and mathematics, and (B) beginning in 2007-08, students in grades 5, 8 and 10 shall also take an annual mastery test in science (Sec. 1, effective July 1, 2003).

- o Moves the **time for administering** all statewide mastery tests from the fall to **April** beginning in the 2005-06 school year (Sec. 1, effective July 1, 2003).
- o Specifies that the additional **costs** of conforming the state's testing to meet the NCLB Act shall be paid exclusively from federal funds received pursuant to the NCLB Act and requires the General Assembly's Education Committee to evaluate and report by February 1, 2004, on the estimated additional costs to the state and boards of education to comply with the NCLB Act (Sec. 1, effective July 1, 2003).
- o Amends the **OPEN Choice program lottery** process to provide a preference for students attending schools identified under the NCLB Act as needing improvement. This preference is in addition to a preference already given to siblings and students who would otherwise attend a school that has lost its accreditation (Sec. 2, effective July 1, 2003).
- o Authorizes certain teachers (those with endorsements to teach elementary education or comprehensive special education) to teach **kindergarten** (Sec. 3, effective June 26, 2003).
- o Provides that for purposes of the issuance of certificates, permits and authorizations by the State Board of Education, teaching experience in approved nonpublic schools shall include **teaching experience in birth-to-three programs** approved by the Department of Mental Retardation (Sec. 3, effective June 26, 2003).
- o Extend the following provisions concerning individuals who hold certificates issued by the State Board of Education to include individuals who hold **permits and authorizations** issued by the State Board of Education:
 - 1. The denial of issuance or reissuance of certificates to applicants convicted of enumerated offenses (Sec. 5, effective July 1, 2003);
 - 2. Copies of reports concerning abuse by certified school employees to be sent to the Commissioner of Education (Sec. 6, effective July 6, 2003); and
 - 3. The requirement that the Department of Children and Families notify the state agency responsible for the issuance of a certificate, and provide records, when the Commissioner of Children and Families has reasonable cause to believe that a child has been abused by a certified staff member of a public or private institution or facility providing care for children or private school (Sec. 7, effective July 1, 2003).

P.A. 03-168 (continued)

- o Postpones for one year, from July 1, 2003, to July 1, 2004, the requirement that in order to obtain an initial educator certificate with an early childhood nursery through grade three or an elementary endorsement the individual must have completed a comprehensive **reading instruction course** comprised of not less than 6 semester hours (Sec. 4, effective July 1, 2003).
- o Specifies that the Department of Education is to continue to operate until January 1, 2005, under **teacher certification regulations** in effect on June 26, 2003, and is not to operate under the regulations that were to become effective on July 1, 2003 (Sec. 8, effective June 26, 2003).

P.A. 03-171

AN ACT CONCERNING THE OPERATION OF MOTORCYCLES AND IMPOSING LIMITATIONS ON LICENSED MOTOR VEHICLE AND MOTORCYCLE OPERATORS WHO ARE SIXTEEN OR SEVENTEEN YEARS OF AGE

- o Expands the **safe driving practices course** all persons 16 and 17 years of age must complete in order to obtain a motor vehicle operator's license from five to eight hours, and the alcohol and drug impact component of the course from two to four hours, and makes other changes concerning the issuance of motor vehicle operator's permits and licenses (Sec. 1, effective October 1, 2003, but not applicable to persons sixteen or seventeen years of age who applied for a learner's permit on or before October 1, 2003, and amended by Sec. 20 of P.A. 03-265).

(For further information about this public act, please contact Lieutenant Willie Mack of the Department of Motor Vehicles at (203) 805-6092.)

P.A. 03-174

AN ACT CONCERNING MINOR REVISIONS TO THE EDUCATION STATUTES

- o Allows school districts to include **student scores** on each part of the 10th grade Connecticut Academic Performance Test (CAPT) on students' permanent records and transcripts and specifies that (1) certification of having met or exceeded the mastery goal level on any part of the test must be made on the permanent record and transcript and (2) a student who meets or exceeds such goal on any part shall be issued a certificate of mastery for that part (Sec. 1, effective July 1, 2003).
- o Amends statutes concerning the **Beginning Educator Support and Training (BEST)** Program to make technical changes and to:
 - 1. Clarify and extend the deadline for newly certified teachers to achieve a satisfactory evaluation on a professional knowledge clinical assessment;

2. Allow the Commissioner of Education to extend the deadline described above, for good cause, for a period of time not exceeding two years. Formerly, the Commissioner could extend it for only one year; and
 3. Provide that beginning teachers must be assessed by educators with teaching experience in the same general subject area as the beginning teacher. Formerly, the statute provided that beginning teachers did not have to be assessed by a certified teacher with an endorsement in the same general subject area (Secs. 2 and 3, effective July 1, 2003).
- o Amends the definition of “**pupils and teachers of racial minorities**” to include individuals whose ethnicity is defined as Hispanic or Latino by the federal Office of Management and Budget for use by the Bureau of Census of the United States Department of Commerce (Sec. 4, effective July 1, 2003).
 - o Provides that the **administration in grades 7 to 12, inclusive**, of the Connecticut **mastery tests** and the Connecticut Academic Performance Test shall **not be earlier than 9:00 a.m.** (Sec. 5, effective July 1, 2003).
 - o Eliminates a requirement that the Office of Policy and Management annually send a copy of each town’s **preliminary equalized net grand list** to the State Board of Education and makes technical changes concerning the education cost sharing (ECS) formula (Secs. 6 and 7, effective July 1, 2003).
 - o Changes the deadlines for administering state **grants for no-nexus state-agency-placed special education students** to (1) give districts until
 - o March 1, rather than February 1, to submit claims for additional children or costs not included in their December 1 filing and (2) specify that the state pay the balance of the grants in May, rather than April, with the state continuing to pay 75% of the costs in February (Sec. 8, effective July 1, 2003).
 - o Specifies that it is within available appropriations that priority school districts are to require students who fail to reach the statewide standard for remedial assistance on the 6th grade mastery examination to attend **summer school** (Sec. 9, effective July 1, 2003).
 - o Provides that in order for a board of education to apply for a grant to improve the use of information technology in its schools, it must have a **technology plan** developed and updated in the three-year, rather than two-year, period preceding the date of application for grant funds (Sec. 10, effective July 1, 2003).
 - o Allows new applicants to be eligible for **youth service bureau grants** if they meet certain conditions (Sec. 11, effective July 1, 2003).

P.A. 03-174 (continued)

- o Makes a technical change concerning certain State Board of Education **reports to the Governor and General Assembly** (Sec. 12, effective June 26, 2003).
- o Provides that the **Birth-to-Three** program include a system for notifying boards of education not later than January 1st of each year of any child who resides in the school district, participates in the program and will attain the age of three during the next fiscal year (Sec. 13, effective October 1, 2003).
- o Allows a priority school district to charge **fees for participation in after-school academic enrichment, support or recreational programs** funded by state grants for extended school building hours provided (1) the fees are calculated on a sliding scale based on ability to pay and do not exceed 75% of the average cost of participation and (2) no student is excluded from participation in such programs based on an inability to pay a fee (Sec. 14, effective July 1, 2003).
- o Makes employees who hold **durational shortage area permits** (DSAPs) and are employed in positions requiring such a permit part of the teachers' unit for purposes of collective bargaining (Sec. 15, effective July 1, 2003).

P.A. 03-178

AN ACT CONCERNING CHARITABLE BINGO AND SEALED TICKET SALES

- o Allows the Division of Special Revenue to issue permits to educational organizations, among others, to sell **sealed tickets** in conjunction with any social function or event sponsored or conducted by such organization as a way to raise money (Sec. 2, effective October 1, 2003).

(For further information about this public act, please contact the Division of Special Revenue at 1-800-338-6331.)

P.A. 03-200

AN ACT CONCERNING AN ADDRESS CONFIDENTIALITY PROGRAM

- o Establishes an **address confidentiality program** in the Secretary of the State's Office to provide a substitute mailing address for certain crime victims who wish to keep their residential addresses confidential because of safety concerns and includes, but is not limited to, an amendment to the state Freedom of Information Act (FOIA) to provide that nothing in the FOIA shall be construed to require disclosure of the residential, work or school address of any participant in the program (Secs. 1 to 17, inclusive, effective January 1, 2004).

P.A. 03-206

AN ACT CONCERNING AFTER SCHOOL PROGRAMS

- o Requires the Commissioner of Education, in consultation with others, to establish an **after-school committee** to, not later than February 1, 2004, report its findings on after-school programs. The report may include recommendations concerning matters including, but not limited to (1) the identification of existing state, federal and private resources to support and sustain after-school programs and (2) methods and practices to encourage training and local technical assistance with respect to after-school programs (Sec. 1, effective July 9, 2003).

P.A. 03-211

AN ACT CONCERNING THE PROVISION OF MEDICAL CARE FOR STUDENTS' HEALTH CARE NEEDS

- o Provides that boards of education may not deny a student access to **school transportation** solely due to a student's need to carry an **automatic prefilled cartridge injector** or similar equipment used to administer epinephrine to treat allergic reactions (Sec. 1, effective July 1, 2003).
- o Adds advanced practice registered nurses (APRNs) to the list of licensed practitioners who may submit written notices **restricting a student's physical activity** in school (Sec. 2, effective July 1, 2003).
- o Adds licensed **physical or occupational therapists** employed by school districts to the categories of school personnel who may administer **medications to students** under certain conditions (Sec. 4, effective July 1, 2003).
- o Transfers from the Department of Public Health to the State Board of Education the responsibility for promulgating **regulations** specifying the conditions under which a coach of intramural and interscholastic athletics may administer medications, requires the State Board to adopt regulations (1) specifying the conditions and procedures for the **administration of medication** by school personnel to students and (2) specifying the condition for self administration of medication by students, and makes technical changes regarding the administration of medications in schools and the adoption of regulations concerning the qualifications of school nurses (Secs. 3 to 5, inclusive, effective July 1, 2003).
- o Allows an **identified school paraprofessional** under certain conditions to administer medications including, but not limited to, medication administered with an automatic prefilled cartridge injector, to a specific student with a medically diagnosed allergic condition that may require prompt treatment in order to protect the student against serious harm or death (Sec. 4, effective July 1, 2003).

- o Gives licensed physical and occupational therapists and school paraprofessionals authorized to administer medications **immunity from liability** for negligent acts or omissions in administering medications. Formerly, only nurses, principals, teachers and coaches had this immunity (Sec. 4, effective July 1, 2003).
- o Specifies that **in-service training programs** for certified school personnel on the growth and development of exceptional children must include, but not be limited to, information on the growth and development of **children with attention-deficit hyperactivity disorder or learning disabilities** (Sec. 6, effective July 1, 2003).
- o Provides that (1) no board of education may prohibit **glucose self-testing by students with diabetes** who have a written order from a physician or
- o APRN stating the need and capability of the child to conduct self-testing and (2) the Commissioner of Education is to develop guidelines for
- o policies and practices for glucose self-testing by students (Sec. 7, effective July 1, 2003).
- o Clarifies and expands statutory provisions requiring boards of education to adopt and implement policies prohibiting school personnel from recommending the use of **psychotropic drugs for children** (Sec. 8, effective July 1, 2003).
- o Specifies that health care providers who provide **immunizations and health assessments** required for children seeking to enroll, or enrolled, in public schools must give reports of such immunizations and assessments to designated school representatives (Sec. 9, effective July 1, 2003).
- o Immunizes from civil liability certain **nonprofit corporations and volunteers** associated with programs offered by such corporations to children 16 years of age and younger when, under specified conditions, a volunteer uses an **automatic prefilled cartridge injector** on a child participating in such a program who is in apparent need of an injection as an emergency first aid response to an allergic reaction (Sec. 10, effective July 1, 2003).

P.A. 03-215

AN ACT CONCERNING STATE CONSTRUCTION CONTRACTS

- o Provides that on and after October 1, 2004, **no person may bid** on a contract, except for certain projects undertaken and controlled by the University of Connecticut, for the construction, reconstruction, alteration, remodeling, repair or demolition of any public building for work by the state or a municipality, which is estimated to cost more than \$500,000 and is paid for, in whole or in part, with

state funds, **unless the person is pre-qualified** by the Department of Administrative Services (Sec. 1, effective October 1, 2004; Sec. 3, effective July 1, 2004, and amended by Sec. 129 of P.A. 03-278).

- o Effective October 1, 2004, requires each public agency, as defined by the Freedom of Information Act (includes towns and boards of education) to:
 - 1. Complete and submit to the Commissioner of Administrative Services a **standard contractor evaluation form** (to be established in regulations adopted by the Commissioner of Administrative Services) after completion of a building project under the agency's control if the building project is funded in whole or in part by state funds; and
 - 2. Upon 50% completion of any building project under a public agency's control, advise the contractor in writing of the agency's **preliminary evaluation** of the contractor's performance on the project (Sec. 4, effective October 1, 2004, and amended by Sec. 130 of P.A. 03-278).
- o Provides that not later than January 1, 2004, and annually thereafter, each awarding authority shall (1) prepare a **report on the status of any ongoing project** for the construction, reconstruction, alteration, remodeling, repair or demolition of any public building which is estimated to cost more than five hundred thousand dollars and is paid for, in whole or in part, with state funds and (2) submit the report to the Governor and the joint standing committees of the General Assembly having cognizance of matters relating to government administration and finance, revenue and bonding in accordance with Section 11-4a of the Connecticut General Statutes (Sec. 6, effective January 1, 2004).

(This public act has a number of new requirements, not all of which have been summarized above. Consequently, the act itself needs careful review and you may want to consult with your local board of education attorney for clarification of how this act applies to your district. For further information about the provisions concerning the pre-qualification of contractors, you may contact Carlos Velez of the Department of Administrative Services at carlos.velez@po.state.ct.us.)

P.A. 03-219

AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE LEGISLATIVE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE RELATIVE TO THE FUNDING OF EDUCATIONAL SERVICES FOR CHILDREN WHO ARE BLIND OR VISUALLY IMPAIRED

- o Establishes a **new funding structure**, including the elimination of payments to specialized facilities within or outside of the state , for the provision of educational

services to children who are blind or visually impaired (Sec. 1, effective July 1, 2003).

- o Requires the Board of Education and Services for the Blind (BESB) to provide, upon written request from any interested school district, the services of **teachers of the visually impaired**, based on the levels established in individualized education programs (IEPs) (Sec. 1, effective July 1, 2003).
- o Allows **BESB to collect revenue** (on a per student pro rata basis) from school districts that have requested BESB services if the funds appropriated in any fiscal year are projected to be insufficient to cover the costs of providing those services (Sec. 1, effective July 1, 2003).

(For further information about this public act, please contact Joseph Clary, Esq., Director of Legislation, Regulation, and Communications for the Connecticut Services for the Blind, at (860) 602-4037 or joseph.clary@po.state.ct.us.)

P.A. 03-220

AN ACT CONCERNING INDOOR AIR QUALITY IN SCHOOLS

- o Adds the **proper maintenance of facilities** to the duty of boards of education to provide an appropriate learning environment (Sec. 1, effective July 1, 2003).
- o Requires each board of education to (1) adopt and implement an **indoor air quality program** that provides for ongoing maintenance and facility reviews necessary for the maintenance and improvement of the indoor air quality of its facilities and (2) report annually to the Commissioner of Education on the action taken to implement such a program (Sec. 1, effective July 1, 2003).
- o Provides that prior to January 1, 2008, and every five years thereafter, boards of education shall provide for a **uniform inspection and evaluation program of the indoor air quality** within every school building that is or has been constructed, extended, renovated or replaced on or after January 1, 2003 (Sec. 2, effective July 1, 2003).
- o Adds projects to remedy **certified school indoor air quality emergencies** to the types of school construction projects that can be approved by the Commissioner of Education and paid at any time without obtaining General Assembly approval on the annual construction priority list. Such emergencies are defined as the existence of a building condition determined by the Department of Public Health to present a substantial and imminent adverse health risk that requires remediation in an amount greater than \$100,000 (Secs. 3 to 5, inclusive, effective July 1, 2003).

P.A. 03-220 (continued)

- o Requires that there be a **Phase I environmental site assessment** prior to the approval of the architectural plans for any school building project which is a new construction, extension or replacement of a building to be used for public school purposes (Sec. 6, effective July 1, 2003).
- o Adds new conditions for Department of Education approval of certain school building **project plans and sites** regarding radon levels, roofs, national guidelines for indoor air quality for occupied buildings under construction, and training for building maintenance staff (Sec. 6, effective July 1, 2003).
- o Requires boards of education to (1) maintain and operate **heating, ventilation and air conditioning systems** in school buildings in accordance with certain standards and (2) keep records of the maintenance of such systems for a period of not less than five years (Sec. 7, effective July 1, 2003).
- o Increases the **maximum square footage per pupil** limit for school building projects authorized by the General Assembly after January 1, 2004, by up to 1% to accommodate a heating, ventilation or air conditioning system, if needed (Sec. 8, effective July 1, 2003).
- o Allows boards of education to establish **indoor air quality committees** for the district or each facility to increase staff and student awareness of the facets of the environment that affect the health of the occupants of school facilities and specifies that no board of education, superintendent or school administrator may prohibit a school safety committee from addressing indoor air quality issues that affect the health of occupants of school facilities (Sec. 9, effective July 1, 2003).

P.A. 03-231

AN ACT CONCERNING PYROTECHNIC AND OTHER FIRE HAZARDS

- o Provides that before any performance or event at any theater, concert or music hall or assembly hall or at any building, auditorium or room used for public gatherings of more than 100 persons, the owner, proprietor, manager or agent of the facility shall make a **public announcement** that describes the **location of emergency exits** (Sec. 2, effective July 9, 2003).
- o Requires that each **place of public assembly**, as defined in the State Fire Safety Code, constructed or renovated after July 9, 2003, to increase capacity or change its occupancy shall have a **main entrance** sufficient to allow the emergency exit of two-thirds of the capacity of such place of assembly (Sec. 3, effective July 9, 2003).

(For further information about Public Act 231, please contact Deputy Fire Marshall John Blaschik of the Department of Public Safety at (860) 685-8380.)

P.A. 03-232

AN ACT CONCERNING THE REEMPLOYMENT OF RETIRED TEACHERS, THE PURCHASE OF ADDITIONAL CREDITED SERVICE IN THE TEACHERS' RETIREMENT SYSTEM . . .

- o Increases the **earnings limit for retired teachers** who are receiving teachers' retirement benefits and are **temporarily employed** in teaching positions. Previously they could earn not more than 45% of the entry-level salary for the assigned subject area. Under the new law they can earn not more than 45% of the maximum salary level for the assigned position. For purposes of this provision, temporary employment means employment for less than a school year (Sec. 1, effective July 1, 2003).
- o Allows **retired teachers** who are receiving teachers' retirement benefits to be reemployed without being subject to the earnings limit, above, if they teach in a position designated by the Commissioner of Education as a **subject shortage area** for the school year in which they are being employed. This employment may be for up to one full school year and may, with prior approval of the Teachers' Retirement Board, be extended for an additional year (Sec. 1, effective July 1, 2003).
- o Makes a number of **other substantive changes to the Teachers' Retirement System** (Secs. 2 to 14, inclusive, effective at various times).

(For further information about this public act, please contact Darlene Perez, Assistant Administrator for the Teachers' Retirement Board, at (860) 241-8401.)

P.A. 03-252

AN ACT CONCERNING REVISIONS TO CERTAIN DEPARTMENT OF PUBLIC HEALTH STATUTES

- o Allows individuals who are licensed by the Department of Public Health (DPH) as **licensed clinical social workers** and who also hold State Board of Education professional educator certificates endorsed for school social work to use, with certain limitations, successful completion of professional development activities required for their educator certificates to satisfy continuing education requirements for DPH licensure (Sec. 21, effective October 1, 2003).
- o Provides that for DPH registration and licensing requirement purposes, **child day care services** shall not include such services which are religious educational activities administered by a religious institution exclusively for children whose parents or legal guardians are members of such religious institution (Sec. 22, effective July 9, 2003).

P.A. 03-267

AN ACT CONCERNING REPORTS OF SUSPECTED ABUSE, NEGLECT, EXPLOITATION OR ABANDONMENT OF ELDERLY PERSONS OR PERSONS IN

LONG-TERM CARE FACILITIES AND ESTABLISHING THE CRIME OF ABUSE OF AN ELDERLY, BLIND, DISABLED OR MENTALLY RETARDED PERSON

- o Establishes new crimes and penalties for repeated acts or omissions that cause **physical injury to an elderly, blind, disabled or mentally retarded person** (Secs. 6 – 9, effective October 1, 2003).

C-9FinalSummary

Attachment A

**TABLE OF AMENDED AND REPEALED STATUTES
AND PUBLIC ACTS FOR 2003 – as of August 12, 2003**

Statute	Public Act
1-210(b)	03-200, S. 17
4b-91	03-215, S. 1
8-265pp	03-278, S. 23
9-235d	03-108, S. 1
10-4 (b)	03-174, S. 12
10-4h (a)	03-76, S. 2
10-4o (a)	03-76, S. 38
10-5a	03-76, S. 3
10-14n	03-168, S. 1
10-14n (d)	03-174, S. 1
10-16o (5)	03-76, S. 39
10-19o (a)	03-174, S. 11
10-20f	03-76, S. 4
10-21c (a)	03-66, S. 1
10-27 (c)	03-76, S. 40
10-28b	03-76, S. 5
10-29a (a)(47) (added)	03-29, S. 1; 03-79, S. 1
10-66n (a)	03-76, S. 6
10-66bb (h)	03-76, S. 7
10-66hh	03-76, S. 50
10-67 (1)	03-100, S. 1
10-67 (7)	03-100, S. 2
10-69 (b)	03-100, S. 3
10-71 (a)(1)	03-76, S. 8; 03-100, S. 4
10-71 (b)	03-76, S. 9
10-76g (a)	03-76, S. 1, 10; 03-174, S. 8
10-76h	03-76, S. 11
10-76i (b), (c)	03-76, S. 41
10-76t	03-76, S. 12
10-95i (a)	03-76, S. 34
10-95m (b)(3)	03-76, S. 42
10-98a	03-76, S. 43
10-145b (l)(1)	03-76, S. 44
10-145b (p)	03-185, S. 107 (Vetoed)
10-145d (a)	03-168, S. 4
10-145d (f), (g) (added)	03-168, S. 3

Attachment A (continued)

**TABLE OF AMENDED AND REPEALED STATUTES
AND PUBLIC ACTS FOR 2003 – as of August 12, 2003**

Statute	Public Act
10-145f (b)(3)	03-76, S. 13
10-145f (c)	03-76, S. 14
10-145f (d)	03-174, S. 2
10-145i	03-168, S. 5
10-153b (a)	03-174, S. 15
10-155d (b)	03-76, S. 45
10-183b	03-232, S. 7
10-183c	03-232, S. 5
10-183e (c)	03-232, S. 2
10-183e (g)	03-232, S. 14
10-183g	03-232, S. 8
10-183g (m)	03-232, S. 3
10-183g (n)	03-232, S. 4
10-183k	03-232, S. 9
10-183l (a)	03-278, S. 24
10-183n	03-232, S. 10
10-183t (a)--(c)	03-232, S. 11
10-183t (d)	03-232, S. 12
10-183v	03-232, S. 1; 03-232, S. 13
10-183jj (e)	03-232, S. 6
10-202f	03-76, S. 15
10-208a	03-211, S. 2
10-209	03-211, S. 9
10-212 (a)	03-211, S. 3
10-212a	03-211, S. 4
10-212b	03-211, S. 8
10-220 (a)	03-220, S. 1
10-220 (d) (added)	03-220, S. 2
10-220a (a)	03-211, S. 6
10-220a (c)	03-76, S. 16
10-220a (d)	03-76, S. 16; 03-174, S. 3
10-221 (b)	03-76, S. 17
10-221l	03-76, S. 46
10-226a (b)	03-174, S. 4
10-227	03-76, S. 18

Attachment A (continued)

**TABLE OF AMENDED AND REPEALED STATUTES
AND PUBLIC ACTS FOR 2003 – as of August 12, 2003**

Statute	Public Act
10-260a (b)	03-76, S. 19
10-261 (a)(2)	03-278, S. 114
10-261 (a)(3)	03-76, S. 20
10-261a (b), (c)	03-174, S. 6
10-262f (16)	03-76, S. 21
10-262f (20)	03-76, S. 22
10-262f (22)	03-278, S. 115
10-262j (e)	03-76, S. 23
10-262k	03-174, S. 7
10-262n (b)	03-174, S. 10
10-263e (a)	03-76, S. 33
10-264i (c)	03-76, S. 24
10-264l (c)	03-76, S. 36
10-265f (d)	03-76, S. 47
10-265l (b)	03-174, S. 9
10-266p (a)	03-76, S. 35; 03-278, S. 116
10-266t (h) (added)	03-174, S. 14
10-266u (a)	03-76, S. 25
10-266w (c)	03-76, S. 26
10-266aa (a)	03-76, S. 48
10-266aa (e)	03-168, S. 2
10-282 (19) (added)	03-220, S. 3
10-283 (a)	03-76, S. 27
10-283 (b)	03-220, S. 4
10-285a (b)	03-76, S. 49
10-286 (a)(1)	03-76, S. 28
10-286 (a)(9) (added)	03-220, S. 5
10-286 (d) (added)	03-220, S. 8
10-287 (d)	03-76, S. 29
10-291	03-76, S. 30; 03-220, S. 6
10-292 (b)	03-76, S. 31
10-292h (a), (b)	03-76, S. 32
10-294	03-217, S. 1
10-295	03-219, S. 1

Attachment A (continued)

**TABLE OF AMENDED AND REPEALED STATUTES
AND PUBLIC ACTS FOR 2003 – as of August 12, 2003**

Statute	Public Act
10a-155 (a)	03-13, S. 1
14-36	03-171, S. 1; 03-265, S. 20
14-69	03-265, S. 10
17a-101c	03-168, S. 6
17a-101i(b)	03-168, S. 7
17a-248d(e)(added)	03-174, S. 13
19a-2a	03-252, S. 1
19a-77(b)	03-252, S. 22
19a-221	03-236, S. 12
20-195o(c)	03-252, S. 21
28-11(a)	03-236, S. 13
29-381	03-231, S. 2
31-71b(c)	03-11, S. 1
45a-82(c)	03-236, S. 14
46b-134	03-86, S. 1
51-164n(b)	03-136, S. 9
Public Act	Amended by
03-215, S. 3(a)	03-278, S. 129
03-215, S. 4(c)	03-278, S. 130