
OLR Bill Analysis

sHB 7195

AN ACT CONCERNING UNEMPLOYMENT BENEFITS FOR PARAEDUCATORS.

SUMMARY

Under state and federal law, employees who work at an educational institution are ineligible to receive unemployment benefits for a school break (i.e. between two successive academic years, between two regular terms, or during a customary vacation or holiday recess) if they have a “reasonable assurance” to work for any educational institution once courses resume (i.e. in the next academic year or term or period after the vacation or recess).

This bill generally codifies federal guidelines for determining whether a school employee has reasonable assurance of returning once courses resume (although it focuses on paraeducators). It also requires school districts, at least 10 days before the end of an academic year or term, to give the Department of Labor (DOL) lists of their paraeducators who have and do not have reasonable assurance of returning to work for them once courses resume. More specifically, the bill applies to school districts, regional education service centers, the governing authority for a state charter school, and an endowed or incorporated academy approved by the State Board of Education (collectively referred to as “school districts”).

EFFECTIVE DATE: July 1, 2025

REASONABLE ASSURANCE DETERMINATION

The bill requires the DOL commissioner to determine, on a case-by-case basis, that all of the following factors are present to establish a paraeducator’s ineligibility for unemployment benefits because he or she has reasonable assurance to return once courses resume:

1. the school district made a written, oral, or implied offer to

employ the paraeducator once courses resume;

2. the offer was made by an authorized school district employee;
3. the offer is for (a) services in the same capacity the paraeducator performed before the break and (b) at least 90% of the wages or salary paid to the paraeducator, in total, by every educational institution he or she worked for before the break;
4. the offer does not depend on factors within the school district's control, including course programming, available funding allocation, program modifications, or facility availability; and
5. it is highly probable that the paraeducator will work in the same capacity once courses resume, based on the totality of the circumstances, including funding availability, past enrollment levels, the paraeducator's seniority level, and the nature of the offer's contingencies.

PARAEDUCATOR LISTS

The bill requires school districts to submit two employee lists to DOL, in a way the commissioner sets, at least 10 days before the end of an academic year or term.

The first must list employees, including their names and Social Security numbers, who worked as a paraeducator for the school and do not have reasonable assurance of working in the same capacity once courses resume.

The second list must contain employees who worked as a paraeducator and have reasonable assurance of working in the same capacity once courses resume. It must also describe how each paraeducator was given reasonable assurance, including (1) whether the offer was written, oral, or implied; (2) the nature of any offer contingencies; and (3) the information about the offer communicated to the paraeducator.

The bill allows the commissioner to consider the information on these

lists when making reasonable assurance determinations, but unless it is accompanied by additional evidence, it cannot be conclusive evidence of reasonable assurance in any case.

COMMITTEE ACTION

Labor and Public Employees Committee

Joint Favorable Substitute

Yea 9 Nay 4 (03/18/2025)