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## OLR Bill Analysis

sHB 7217

### **AN ACT CONCERNING VARIOUS REVISIONS TO THE EDUCATION STATUTES.**

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*Reduces, from five to two days, the maximum out-of-school suspension length for students in preschool through second grade; limits the use of out-of-school suspension for students in these grades to instances constituting serious physical harm; and requires school administrators to conduct a special education evaluation at related disciplinary hearings for students in these grades*

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*Requires school boards to offer an alternative education opportunity for students ages 16 to 18 who are expelled for the first or second time*

**§ 14 — NOTIFICATION OF RESTRAINT OR SECLUSION**

*Requires school boards to notify parents of a student placed in physical restraint or seclusion on the day it happens*

**SUMMARY**

This bill makes changes to various education statutes, as summarized in the following section-by-section analysis.

EFFECTIVE DATE: July 1, 2025

**§§ 1-3 — INFORMATION ON PRIOR AND CURRENT YEAR ORIGINAL AND ACTUAL EXPENDITURES IN SCHOOL BUDGET PROCESS**

*Requires information on prior and current fiscal year line items to be included in the itemized estimates prepared during the local and regional school budget processes*

***Local Boards of Education (§§ 1 & 2)***

By law, local boards of education must prepare an itemized estimate of school expenses in the upcoming fiscal year and submit it to the board of finance or other authority making appropriations to the school district at least two months before the meeting at which appropriations will be made. The itemized estimate is one where broad budget categories (e.g., salaries, utilities, grounds maintenance) are divided into line items (CGS § 10-222).

The bill requires superintendents to annually give local school board members the following information:

1. the amount that was appropriated to each line item at the start of the fiscal year (“original amount”) and the amount of the line

item at the end of the fiscal year (“actual amount”) for the two most recently completed fiscal years and

2. the original amount for each line item and the current amount for the fiscal year currently in progress.

Under the bill, the superintendent must provide this information during the preparation of the itemized estimate for FY 26 and each fiscal year after this. (Because most municipalities will have adopted their budgets before this bill takes effect, it appears that superintendents will not be able to comply with this requirement until they prepare their estimates for FY 27.)

The bill also requires the local board of education to include the above information on original, actual, and current amounts in the itemized estimate of school operating expenses.

### ***Regional School Districts (§ 3)***

The bill requires the proposed budget that a regional school board presents at a public district meeting to include the same information on budget line items required for the local school budgets, described above. It also requires the same information to be included in the budget presented at the annual meeting on the first Monday in May.

## **§ 4 — SCHOOL RESOURCE OFFICER MOU**

*Sets a deadline for when certain information must start being incorporated into SRO MOUs and requires these MOUs to be updated at least every three years*

By law, each local or regional board of education that assigns a school resource officer (SRO) to its schools must have a memorandum of understanding (MOU) with a local law enforcement agency. The MOU must address the SRO’s role and responsibility in the school.

Under existing law, (1) school boards must post their MOU on their website and in the school where the SRO is assigned and maintain the MOU in a central location in the district, and (2) these MOUs must include information on the officer’s daily interactions with students and staff and a student discipline graduated response model. The bill requires these two requirements to be met by January 1, 2026.

The bill also requires these MOUs to be updated at least every three years.

## **§ 5 — SUPERINTENDENT ATTENDANCE AT SCHOOL BOARD EXECUTIVE SESSIONS UNDER FOIA**

*Broadens the circumstances under which superintendents can attend school board executive sessions under FOIA*

Under the Freedom of Information Act (FOIA), school board meetings, like other public agency meetings, must generally be open to the public. But school boards, like other public agencies, may hold executive sessions where attendance is limited to board members and people the board invites to give testimony or opinions related to the matters before the board. Invitees' attendance is limited to the period of time during which their presence is necessary.

The bill expands the purposes for which a school board can invite a superintendent into a closed executive session. Specifically, under the bill, a school board can invite a superintendent to an executive session in his or her capacity as the board's chief executive officer, rather than just for the limited purpose of testifying specifically to matters under the board's consideration.

## **§ 6 — REGIONAL SCHOOL BOARD RESERVE FUNDS**

*Explicitly allows regional boards of education to deposit funds previously appropriated to and currently in a reserve fund for capital and nonrecurring expenditures into a reserve fund for educational expenditures*

PA 24-45 allows regional boards of education to create reserve funds for educational expenditures. Prior law had instead allowed boards to create reserve funds for capital and nonrecurring expenditures. Starting with FY 26, the bill explicitly allows regional boards of education to deposit funds previously appropriated to and currently in a reserve fund for capital and nonrecurring expenditures into a reserve fund for educational expenditures.

## **§ 7 — VISION SCREENINGS FOR STUDENTS**

*Explicitly allows school boards to offer vision screenings in preschool and second grade*

The bill allows school boards to offer vision screenings to students in preschool and second grade. By law, vision screenings are required to

be provided to all students in kindergarten, first grade, and third through fifth grade.

## **§ 8 — COOPERATIVE PURCHASING CONTRACTS FOR SCHOOL CONSTRUCTION**

*Creates an exception to the public bidding requirements for school construction projects that use cooperative purchasing contracts offered through a RESC*

By law, most contracts and orders for school construction projects receiving state assistance must be awarded to the lowest possible qualified bidder following a public invitation. Existing law allows some exceptions to the public bidding requirement, including for school construction projects for which the district decides to use a Department of Administrative Services contract.

The bill creates another exception to the public bidding requirements for school construction projects that use cooperative purchasing contracts offered through a Regional Education Service Center (RESC). It also repeals a provision in current law specifying that RESC and Council of Government (COG) cooperative purchasing contracts may be qualified bidders and considered among the bids received after the public invitation.

## **§ 9 — OPEN CHOICE PROGRAM ADDITION**

*Adds Madison to the Open Choice program as a receiving and sending district*

The bill adds Madison to the Open Choice program as a receiving and sending district with New Haven beginning the 2025-2026 school year. This addition allows students from Madison to attend school in the New Haven system and vice versa.

The Open Choice Program is a voluntary interdistrict attendance program that allows students from large urban districts to attend suburban schools and vice versa, on a space-available basis. Its purpose is to reduce racial, ethnic, and economic isolation; improve academic achievement; and provide public school choice.

**§ 10 — ATTENDANCE AT TEACHER AND ADMINISTRATOR NEGOTIATIONS**

*Requires a school board member to attend teacher and administrator employment condition negotiations*

The bill requires that at least one local or regional board of education member be present for negotiations with teachers' and administrators' units over their salaries, hours, or other conditions of employment that occur on or after July 1, 2025.

The Teacher Negotiation Act (TNA) allows both boards of education and unions representing teachers and school administrators to negotiate with each other over matters appropriate for collective bargaining. This act also establishes the process and timetable for negotiating contracts covering teachers' wages, hours, and conditions of employment (CGS §§ 10-153a to 10-153o).

**§ 11 — HEALTH ASSESSMENT FORMS**

*Allows nurses to reject health assessment forms that are not the form required by SBE and requires asthma action plans to be included in these forms if a student has asthma*

By law, student health assessments and screenings must be recorded on specific forms provided by the State Board of Education (SBE) and included in the student's cumulative health record.

The bill explicitly allows school nurses to reject assessments or screenings submitted in a format other than the SBE-required form and require resubmission on the SBE form.

Additionally, the bill requires that an asthma action plan be included in health assessment forms for students diagnosed with asthma.

**§ 12 — OUT-OF-SCHOOL SUSPENSION FOR STUDENTS IN PRESCHOOL THROUGH GRADE TWO**

*Reduces, from five to two days, the maximum out-of-school suspension length for students in preschool through second grade; limits the use of out-of-school suspension for students in these grades to instances constituting serious physical harm; and requires school administrators to conduct a special education evaluation at related disciplinary hearings for students in these grades*

The bill reduces, from five to two days, the maximum out-of-school suspension length that school administration may impose on a student in preschool through second grade. It also further limits the

circumstances under which school administration may give out-of-school suspension to students in these grades.

Under current law, school administration may impose out-of-school suspension on students in these grades if an administrator finds, at the student's informal disciplinary hearing, that the suspension is appropriate due to evidence that the student's conduct on school grounds is behavior that causes physical harm. The bill instead limits these suspensions only to cases where a student's conduct constitutes behavior that causes serious physical harm.

Additionally, at these disciplinary hearings, current law requires school administrators to consider whether to convene a planning and placement team to conduct an evaluation for special education eligibility. The bill instead requires the administration to conduct the evaluation at this hearing. Federal and state special education law require these evaluations to, among other things, (1) be comprehensive enough to identify all the child's needs and cover all areas related to the suspected disability and (2) incorporate a variety of assessment tools to gather relevant functional, developmental, and academic information. (It is unclear whether these evaluations could be conducted in a disciplinary hearing in a way that complies with federal and state requirements.) Existing SDE regulations require schools to promptly refer to a planning and placement team all students who (1) have been repeatedly suspended or (2) whose behavior, attendance, or progress in school is unsatisfactory or marginally acceptable (Conn. Agencies Regs., § 10-76d-7).

### **§ 13 — TWICE-EXPELLED STUDENTS**

*Requires school boards to offer an alternative education opportunity for students ages 16 to 18 who are expelled for the first or second time*

The bill requires school boards to offer an alternative education opportunity to students ages 16 to 18 who are expelled for the first or second time and wish to continue their education. Current law requires school boards to do so only for students in this age range who are expelled for the first time. As under existing law, a student may be offered the alternative education opportunity only if he or she complies

with conditions the school board sets, and an expulsion before age 16 counts when school boards determine whether an alternative education opportunity is required for students ages 16 to 18.

#### **§ 14 — NOTIFICATION OF RESTRAINT OR SECLUSION**

*Requires school boards to notify parents of a student placed in physical restraint or seclusion on the day it happens*

The bill requires school boards to notify the parents or guardian of a student placed in physical restraint or seclusion on the day it happens, rather than within 24 hours after it happened as current law requires. As under existing law, the school board must make a reasonable effort to notify them immediately after the restraint or seclusion begins.

By law, school employees are prohibited from physically restraining a student or placing the student in seclusion except as an emergency intervention to prevent immediate or imminent injury to the student or others (CGS § 10-236b(b) & (d)). A restraint or seclusion may exceed 15 minutes only if an administrator or certain other school personnel (e.g., health professionals) deems it necessary to prevent such an injury, and this determination must be done every 30 minutes (CGS § 10-236b(f)).

#### **COMMITTEE ACTION**

Education Committee

Joint Favorable Substitute

Yea    26        Nay   19        (03/24/2025)