



General Assembly

**Substitute Bill No. 812**

January Session, 2019



**AN ACT CONCERNING THE LEGISLATIVE COMMISSIONERS' RECOMMENDATIONS FOR TECHNICAL REVISIONS TO THE EDUCATION AND EARLY CHILDHOOD STATUTES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 10-91g of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective from*  
3 *passage*):

4 (a) As used in this section [,] and sections 10-91h to 10-91l, inclusive,  
5 "private provider of special education services" means any private  
6 school or private agency or institution, including a group home, that  
7 receives any state or local funds as a result of providing special  
8 education services to any student with an individualized education  
9 program or for whom an individual services plan has been written by  
10 the local or regional board of education responsible for educating such  
11 student.

12 Sec. 2. Subdivisions (1) and (2) of subsection (b) of section 10-223j of  
13 the general statutes are repealed and the following is substituted in  
14 lieu thereof (*Effective from passage*):

15 (b) (1) The school governance council for a high school shall consist  
16 of (A) seven members who [shall be any] are a parent or guardian of a  
17 student attending the school, regardless of such parent or guardian's  
18 status as a public official, (B) two members who [shall be] are

19 community leaders within the school district, (C) five members who  
20 [shall be] are teachers at the school, (D) one nonvoting member who is  
21 the principal of the school, or his or her designee, and (E) two  
22 nonvoting student members who [shall be] are students at the school.  
23 The parent or guardian members shall be elected by the parents or  
24 guardians of students attending the school, provided, for purposes of  
25 the election, each household with a student attending the school shall  
26 have one vote. The community leader members shall be elected by the  
27 parent or guardian members and teacher members of the school  
28 governance council. The teacher members shall be elected by the  
29 teachers of the school. The nonvoting student members shall be elected  
30 by the student body of the school.

31 (2) The school governance council for an elementary or a middle  
32 school shall consist of (A) seven members who [shall be any] are a  
33 parent or guardian of a student attending the school, regardless of  
34 such parent or guardian's status as a public official, (B) two members  
35 who [shall be] are community leaders within the school district, (C)  
36 five members who [shall be] are teachers at the school, and (D) one  
37 nonvoting member who is the principal of the school, or his or her  
38 designee. The parent or guardian members shall be elected by the  
39 parents or guardians of students attending the school, provided, for  
40 purposes of the election, each household with a student attending the  
41 school shall have one vote. The community leader members shall be  
42 elected by the parent or guardian members and teacher members of  
43 the school governance council. The teacher members shall be elected  
44 by the teachers of the school.

45 Sec. 3. Subsection (a) of section 19a-79 of the general statutes is  
46 repealed and the following is substituted in lieu thereof (*Effective from*  
47 *passage*):

48 (a) The Commissioner of Early Childhood shall adopt regulations,  
49 in accordance with the provisions of chapter 54, to carry out the  
50 purposes of sections 19a-77 to 19a-80, inclusive, and 19a-82 to 19a-87,  
51 inclusive, and to assure that child care centers and group child care

52 homes meet the health, educational and social needs of children  
53 utilizing such child care centers and group child care homes. Such  
54 regulations shall (1) specify that before being permitted to attend any  
55 child care center or group child care home, each child shall be  
56 protected as age-appropriate by adequate immunization against  
57 diphtheria, pertussis, tetanus, poliomyelitis, measles, mumps, rubella,  
58 hemophilus influenzae type B and any other vaccine required by the  
59 schedule of active immunization adopted pursuant to section 19a-7f,  
60 including appropriate exemptions for children for whom such  
61 immunization is medically contraindicated and for children whose  
62 [parents] parent or guardian objects to such immunization on religious  
63 grounds, and that any objection by [parents] a parent or a guardian to  
64 immunization of a child on religious grounds shall be accompanied by  
65 a statement from such [parents] parent or guardian that such  
66 immunization would be contrary to the religious beliefs of such child  
67 or the [parents] parent or guardian of such child, which statement shall  
68 be acknowledged, in accordance with the provisions of sections 1-32, 1-  
69 34 and 1-35, by (A) a judge of a court of record or a family support  
70 magistrate, (B) a clerk or deputy clerk of a court having a seal, (C) a  
71 town clerk, (D) a notary public, (E) a justice of the peace, or (F) an  
72 attorney admitted to the bar of this state, (2) specify conditions under  
73 which child care center directors and teachers and group child care  
74 home providers may administer tests to monitor glucose levels in a  
75 child with diagnosed diabetes mellitus, and administer medicinal  
76 preparations, including controlled drugs specified in the regulations  
77 by the commissioner, to a child receiving child care services at such  
78 child care center or group child care home pursuant to the written  
79 order of a physician licensed to practice medicine or a dentist licensed  
80 to practice dental medicine in this or another state, or an advanced  
81 practice registered nurse licensed to prescribe in accordance with  
82 section 20-94a, or a physician assistant licensed to prescribe in  
83 accordance with section 20-12d, and the written authorization of a  
84 parent or guardian of such child, (3) specify that an operator of a child  
85 care center or group child care home, licensed before January 1, 1986,  
86 or an operator who receives a license after January 1, 1986, for a facility

87 licensed prior to January 1, 1986, shall provide a minimum of thirty  
88 square feet per child of total indoor usable space, free of furniture  
89 except that needed for the children's purposes, exclusive of toilet  
90 rooms, bathrooms, coatrooms, kitchens, halls, isolation room or other  
91 rooms used for purposes other than the activities of the children, (4)  
92 specify that a child care center or group child care home licensed after  
93 January 1, 1986, shall provide thirty-five square feet per child of total  
94 indoor usable space, (5) establish appropriate child care center staffing  
95 requirements for employees certified in cardiopulmonary resuscitation  
96 by the American Red Cross, the American Heart Association, the  
97 National Safety Council, American Safety and Health Institute or  
98 Medic First Aid International, Inc., (6) specify that on and after January  
99 1, 2003, a child care center or group child care home (A) shall not deny  
100 services to a child on the basis of a child's known or suspected allergy  
101 or because a child has a prescription for an automatic prefilled  
102 cartridge injector or similar automatic injectable equipment used to  
103 treat an allergic reaction, or for injectable equipment used to  
104 administer glucagon, (B) shall, not later than three weeks after such  
105 child's enrollment in such a center or home, have staff trained in the  
106 use of such equipment on-site during all hours when such a child is  
107 on-site, (C) shall require such child's parent or guardian to provide the  
108 injector or injectable equipment and a copy of the prescription for such  
109 medication and injector or injectable equipment upon enrollment of  
110 such child, and (D) shall require a parent or guardian enrolling such a  
111 child to replace such medication and equipment prior to its expiration  
112 date, (7) specify that on and after January 1, 2005, a child care center or  
113 group child care home (A) shall not deny services to a child on the  
114 basis of a child's diagnosis of asthma or because a child has a  
115 prescription for an inhalant medication to treat asthma, and (B) shall,  
116 not later than three weeks after such child's enrollment in such a center  
117 or home, have staff trained in the administration of such medication  
118 on-site during all hours when such a child is on-site, and (8) establish  
119 physical plant requirements for licensed child care centers and licensed  
120 group child care homes that exclusively serve school-age children.  
121 When establishing such requirements, the Office of Early Childhood

122 shall give consideration to child care centers and group child care  
123 homes that are located in private or public school buildings. With  
124 respect to this subdivision only, the commissioner shall implement  
125 policies and procedures necessary to implement the physical plant  
126 requirements established pursuant to this subdivision while in the  
127 process of adopting such policies and procedures in regulation form.  
128 Until replaced by policies and procedures implemented pursuant to  
129 this subdivision, any physical plant requirement specified in the  
130 office's regulations that is generally applicable to child care centers and  
131 group child care homes shall continue to be applicable to such centers  
132 and homes that exclusively serve school-age children. The  
133 commissioner shall print notice of the intent to adopt regulations  
134 pursuant to this subdivision [in the Connecticut Law Journal] on the  
135 eRegulations System not later than twenty days after the date of  
136 implementation of such policies and procedures. Policies and  
137 procedures implemented pursuant to this subdivision shall be valid  
138 until the time final regulations are adopted.

139 Sec. 4. Section 4-5 of the general statutes, as amended by section 3 of  
140 public act 18-91, is repealed and the following is substituted in lieu  
141 thereof (*Effective July 1, 2019*):

142 As used in sections 4-6, 4-7 and 4-8, the term "department head"  
143 means Secretary of the Office of Policy and Management,  
144 Commissioner of Administrative Services, [Commissioner on Aging,]  
145 Commissioner of Revenue Services, Banking Commissioner,  
146 Commissioner of Children and Families, Commissioner of Consumer  
147 Protection, Commissioner of Correction, Commissioner of Economic  
148 and Community Development, State Board of Education,  
149 Commissioner of Emergency Services and Public Protection,  
150 Commissioner of Energy and Environmental Protection,  
151 Commissioner of Agriculture, Commissioner of Public Health,  
152 Insurance Commissioner, Labor Commissioner, Commissioner of  
153 Mental Health and Addiction Services, Commissioner of Social  
154 Services, Commissioner of Developmental Services, Commissioner of

155 Motor Vehicles, Commissioner of Transportation, Commissioner of  
156 Veterans Affairs, Commissioner of Housing, Commissioner of  
157 Rehabilitation Services, the Commissioner of Early Childhood, the  
158 executive director of the Office of Military Affairs, and the executive  
159 director of the Office of Health Strategy. As used in sections 4-6 and 4-  
160 7, "department head" also means the Commissioner of Education.

161 Sec. 5. Section 4-5 of the general statutes, as amended by section 6 of  
162 public act 17-237, section 279 of public act 17-2 of the June special  
163 session and section 20 of public act 18-182, is repealed and the  
164 following is substituted in lieu thereof (*Effective July 1, 2020*):

165 As used in sections 4-6, 4-7 and 4-8, the term "department head"  
166 means Secretary of the Office of Policy and Management,  
167 Commissioner of Administrative Services, Commissioner of Revenue  
168 Services, Banking Commissioner, Commissioner of Children and  
169 Families, Commissioner of Consumer Protection, Commissioner of  
170 Correction, Commissioner of Economic and Community Development,  
171 State Board of Education, Commissioner of Emergency Services and  
172 Public Protection, Commissioner of Energy and Environmental  
173 Protection, Commissioner of Agriculture, Commissioner of Public  
174 Health, Insurance Commissioner, Labor Commissioner, Commissioner  
175 of Mental Health and Addiction Services, Commissioner of Social  
176 Services, Commissioner of Developmental Services, Commissioner of  
177 Motor Vehicles, Commissioner of Transportation, Commissioner of  
178 Veterans Affairs, Commissioner of Housing, Commissioner of  
179 Rehabilitation Services, the Commissioner of Early Childhood, the  
180 executive director of the Office of Military Affairs, the executive  
181 director of the Office of Health Strategy and the executive director of  
182 the Technical Education and Career System. As used in sections 4-6  
183 and 4-7, "department head" also means the Commissioner of  
184 Education.

185 Sec. 6. Section 4-38c of the general statutes, as amended by section  
186 13 of public act 18-169, is repealed and the following is substituted in  
187 lieu thereof (*Effective July 1, 2019*):

188 There shall be within the executive branch of state government the  
189 following departments: Office of Policy and Management, Department  
190 of Administrative Services, [Department on Aging,] Department of  
191 Revenue Services, Department of Banking, Department of Agriculture,  
192 Department of Children and Families, Department of Consumer  
193 Protection, Department of Correction, Department of Economic and  
194 Community Development, State Board of Education, Department of  
195 Emergency Services and Public Protection, Department of Energy and  
196 Environmental Protection, Department of Public Health, Board of  
197 Regents for Higher Education, Insurance Department, Labor  
198 Department, Department of Mental Health and Addiction Services,  
199 Department of Developmental Services, Department of Social Services,  
200 Department of Rehabilitation Services, Department of Transportation,  
201 Department of Motor Vehicles and Department of Veterans Affairs.

202 Sec. 7. Section 4-38c of the general statutes, as amended by section 7  
203 of public act 17-237, section 287 of public act 17-2 of the June special  
204 session and section 21 of public act 18-182, is repealed and the  
205 following is substituted in lieu thereof (*Effective July 1, 2020*):

206 There shall be within the executive branch of state government the  
207 following departments: Office of Policy and Management, Department  
208 of Administrative Services, Department of Revenue Services,  
209 Department of Banking, Department of Agriculture, Department of  
210 Children and Families, Department of Consumer Protection,  
211 Department of Correction, Department of Economic and Community  
212 Development, State Board of Education, Department of Emergency  
213 Services and Public Protection, Department of Energy and  
214 Environmental Protection, Department of Public Health, Board of  
215 Regents for Higher Education, Insurance Department, Labor  
216 Department, Department of Mental Health and Addiction Services,  
217 Department of Developmental Services, Department of Social Services,  
218 Department of Rehabilitation Services, Department of Transportation,  
219 Department of Motor Vehicles, Department of Veterans Affairs and the  
220 Technical Education and Career System.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	10-91g(a)
Sec. 2	<i>from passage</i>	10-223j(b)(1) and (2)
Sec. 3	<i>from passage</i>	19a-79(a)
Sec. 4	<i>July 1, 2019</i>	4-5
Sec. 5	<i>July 1, 2020</i>	4-5
Sec. 6	<i>July 1, 2019</i>	4-38c
Sec. 7	<i>July 1, 2020</i>	4-38c

**Statement of Legislative Commissioners:**

In Section 2(b)(1)(E), "shall be" was changed to "[shall be] are" for consistency.

**ED**      *Joint Favorable Subst. -LCO*