

2013 Legislative Session Summary

WINS

AFT Connecticut Bills

- **SB 1002 Community Schools**— Establishes the definition of community schools in statute and makes it a permissible turnaround model for Commissioner’s Network Schools.
- **SB 1070 School Nurse Advisory Council** – Creates an advisory council of school nurses and other key stakeholders to make recommendations to the Commissioners of Education and Public Health on professional development, staffing and other issues impacting school nurses.
- **SB 1096 Transparency for the State Education Resource Center (SERC)** – Requires SERC to comply with clean contracting laws, report sources and uses of private funding and provide comprehensive information to the General Assembly for future consideration about the governance of SERC.
- **SB 1097 Education Reform** – Replaces mandatory testing for K-3 teachers on literacy instruction with a survey to determine literacy professional development needs and clarifies that survey results will not impact summative teacher evaluations. Allows school districts to apply for a waiver to delay implementation of new teacher evaluation requirements.
- **HB 6502 Paraprofessional Advisory Council** – Recalibrates the membership of the Paraprofessional Advisory Council to ensure that paraprofessionals have a majority and that recommendations made to the Commissioner of Education reflect the needs of paraprofessionals.

Other Priority Bills:

NEWTOWN RELATED BILLS

- **HB 6599 Sandy Hook Workers’ Assistance Fund** – Established the Sandy Hook Workers’ Assistance Fund to be funded by private entities to provide workers’ compensation-like benefits to teachers and other workers suffering from mental and emotional trauma resulting from the Sandy Hook School shooting. Grants waivers to Newtown board of education for the minimum 180-day school calendar and CMT testing at Sandy Hook School.
 - **SB 1160 Gun Violence Prevention and Children’s Safety** – Establishes gun control measures, improved mental/behavioral health insurance coverage and delivery and school safety mechanisms. Requires each school to have a safety committee that includes at least one teacher and reestablishes a competitive grant program of \$15M for districts to fund school safety improvements.
 - **SB 1149 Disclosure of Public Records** – Exempts from Freedom of Information disclosure the identity of minor homicide victims and any files, video or photographs deemed to be an invasion of privacy of a victim or victim’s family members.
- **HB 5423 Revisions Higher Education Statutes** – Makes various governance changes to the Higher Education Board of Regents. Grants immunity from civil liability to any person who donates tangible property to a regional community-technical college. Requires candidates in teaching preparation programs to complete training in the awareness and identification of the unique learning style of gifted and talented children and the provision of services to these children as part of student individualized education programs.

- **HB 5426 Pool Safety** – Makes significant changes to the types and numbers of staff boards of education must utilize in order to make use of a school swimming pool for physical education, extracurricular activities and interscholastic athletics. Requires districts to adopt a school swimming pool safety plan which shall be reviewed and updated before the beginning of each school year.
- **HB 5533 MERS** – Killed legislation that would have raised municipal employee contribution rates to the pension fund.
- **HB 6292 Teacher Preparation** – Requires teacher preparation programs to include training on how children learn and develop socially and emotionally, including instruction on assessments, interventions and referrals for children who appear to have social or emotional problems.
- **HB 6329 Dissection Choice** – Allows students to be excused from participating in or observing animal dissection.
- **HB 6358 Innovation in CT Schools** - Permits high school students to earn academic credits using non-traditional, mastery-based standards based on guidelines to be established by the State Board of Education. Establishes a task force to study mandate relief for high-performing districts. Requires the State Department of Education to study issues relating to local partnerships for advancing the teaching profession.
- **HB 6383 Athletic Trainers** - Creates hiring standards for school and school district athletic directors, requires that all directors hired on or after October 1, 2013 meet the new standards. Requires athletic directors to supervise and evaluate coaches.
- **HB 6384 English Language Learners** – Defines “English language learners” and requires boards of education to submit plans to the State Department of Education for reducing special education misidentified English language learners.
- **HB 6492 State Employee Confidentiality** – Expands existing whistleblower protections by exempting from disclosure the portion of any audit or report prepared by the Auditors of Public Accounts the identity of an employee who provides information regarding alleged fraud or weaknesses in the control structure of an agency that may lead to fraud.
- **HB 6525 Physical Exercise in Schools** – Expands existing law to require public schools to include a total of 20 minutes of physical exercise each day for all elementary school students. Requires school boards to adopt policies on using physical exercise as a form of discipline rather than prohibit employees from doing this.
- **HB 6567 DRS Employees** – Reflects agreement language between A&R and DRS that allows the limited disclosure of tax return information in state personnel proceedings.
- **HB 6611 State Employee Life Insurance** – Killed legislation that would have allowed the state to own life insurance policies on state employees and retirees as a vehicle to boost the solvency of the pension fund.
- **HB 6622 District Partnerships** - Allows an alliance district, upon approval by the State Board of Education, to mutually agree with a state or local charter school within the district to use academic achievement scores of the charter school's students as part of the district's overall scores.
- **HB 6623 Student Assessments** – Makes numerous changes to standardized assessments, including:
 - Allows students to take their final mastery examination in grade 11 as an alternative to grade 10 beginning in the 2013-14 school year;
 - Requires the State Department of Education (SDE) to approve, rather than supervise, the provision and administration of all mastery exams;
 - Eliminates testing requirements for endowed or incorporated high schools, but permits such schools to base promotion or graduation on a student achieving a satisfactory score
 - Requires SDE to study the use of standardized testing.
 - Extends the deadline for the education commissioner to develop and implement an assessment tool for measuring a child's kindergarten readiness
- **HB 6624 Minor Revision to Education Statutes** – Makes numerous changes, including:
 - Requires exclusive use of “state-assigned student identifier” to track official student documents.
 - Eliminates indemnification eligibility for teacher mentors and assessors currently offered by employing boards of education.
 - Changes the procedure for establishing tuition rates for vocational apprenticeship programs.
 - Expands the validity of the elementary education certificate for kindergarten instruction.
 - Requires the State Department of Education (SDE) to study alternative school programs.

- Exempts certain teacher records kept by SDE from the Freedom of Information Act.
- Expands eligibility for alternative route to certification (ARC) programs for school.
- Exempts a person from the competency and subject matter exams for prospective teachers if the person has completed at least three school years of service (30 months) in the sought-after Connecticut endorsement area in another state's public or private school during the past 10 years.
- Eliminates the requirement that SDE develop a new state longitudinal data system.
- **HB 6629 Regionalism** – Makes various changes to municipal statutes to encourage regionalism in order to achieve cost savings and efficiencies, including a task force to create uniform regional school calendars with common start dates, vacation periods and professional development days. AFT Connecticut has a seat on the task force and defeated attempts to make changes to the scope of collective bargaining.
- **HB 6678 Child Support Enforcement** - Establishes a task force to study reforms to increase the collection of past due child support including the use of additional municipal and state police officers to serve *capias mittimus* orders, technology enhancements to promote compliance, and cost effectiveness of such reforms.
- **SB 840 Next Generation Connecticut** - Authorizes \$1.551 billion in new bonds for capital improvements at UConn. Requires UConn to develop a comprehensive plan in consultation with leaders in the science, technology, engineering, and math-related industries, and annually report on its progress.
- **SB 842 Bonding** – Authorizes the following bonding projects of interest to AFT Connecticut members:
 - Expands, from three to four, community colleges which may use a previous \$17.8 million authorization to establish or expand manufacturing technology programs.
 - At all regional community colleges:
 - New and replacement instruction, research or laboratory equipment, not exceeding \$5,000,000.
 - System Technology Initiative, not exceeding \$5,000,000.
 - Alterations, renovations and improvements to facilities not exceeding \$5,000,000.
 - CTHSS: Alterations, renovations and improvements to buildings and grounds, including new and replacement equipment, tools and supplies necessary to update curricula, vehicles and technology at all technical high schools, not exceeding \$28,000,000.
 - For the Department of Education:
 - New interdistrict magnet school programs to comply with Sheff v. O'Neill - \$17,000,000.
 - Facilities that house school readiness programs and state-funded day care centers - \$11,500,000.
 - Expansion of enrollment in the state-wide interdistrict public school attendance program to comply with Sheff v. O'Neill - \$750,000.
- **SB 868 Non-degree Certificate Programs** – Requires the Office of Higher Education to develop a list of non-degree certificate programs and technical training courses offered by the regional community-technical colleges that directly correlate with workforce shortage areas, including, healthcare, manufacturing, transportation and energy.
- **SB 910 Employee Access to Personnel Files** – Gives an employer seven days to allow an employee access to his or her files. Allows an employer to mail a file to a former employee. Requires employers to provide copies of documentation of any disciplinary action or termination. Allows an employee to disagree with such actions in writing. Allows the Labor Commissioner to determine penalties for violations.
- **SB 967 Sale of Nonprofit Hospitals** – Raises the amount the attorney general may bill a for-profit entity for consultation with experts or consultants when reviewing a proposal to approve the sale of a nonprofit hospital to a for-profit entity, from \$300,000 to \$500,000.

- **1079 Apprenticeship Tax Credit** – Increases from \$4.00 to \$6.00 per hour, the corporation business tax credit for hiring apprentices in the manufacturing trades and raises the annual cap on the total credit that can be claimed from \$4,800 or 50% of the actual apprentice wages, to \$7,500 or 50% of such wages.
- **SB 1099 School Security** – Establishes requirements for hiring active or retired police officers to provide armed security at public schools.
- **SB 1128 Mandatory Flu Vaccinations** – Killed legislation that would have required healthcare workers to receive mandatory flu vaccines.
- **SB 1137 School Based Health Centers** – Expands membership of the school-based health center advisory committee and requires it to advise the Department of Public Health (DPH) on minimum standards for the provision of services and statutory and regulatory changes to improve health care through SBHCs. Requires DPH to report on the provision of behavioral health services by SBHCs in the state.

Budget – HB 6704, HB 6705 & HB 6706

- **HEALTHCARE**
 - Requires the Office of Health Care Access when considering Certificate of Need applications to review (1) applicants' access for Medicaid and indigent patients; (2) the cost effectiveness of providing access and services provided under Medicaid; and (3) the cause for failing to provide or reducing services for these populations.
 - Requires hospitals to report their 990s and community health needs assessments to the Department of Public Health
 - For the first time, net-appropriates Medicaid payments in the state budget, moving federal reimbursement dollars from beneath the state spending cap.
- **PRE-K-12**
 - Restored cuts proposed by Governor Malloy that would have eliminated the state's contribution to the retired teachers' healthcare fund, but in order to do so, diverted funds from the healthcare fund itself.
 - Requires transparency and fiscal accountability for all public and private funds received by the State Department of Education. Delays one year the ability to test out of graduation requirements.
 - Requires Board of Education, RESCs and charter schools to post salaries, benefits and numerous other expenditures in aggregate on their websites.
 - Expands permitted activities of School Based Health Centers.
 - Creates a uniform system of accounting for municipalities and BOEs, including a common chart of accounts.
 - Requires the State Department of Education to report on talent development and the implementation of statewide standards.
 - Protects the seniority of active teachers when retired teachers return to the classroom.
 - Creates a new ECS formula that utilizes free and reduced lunch numbers rather than Title I. Redesigns distribution so that Alliance Districts receive more money per pupil.
 - Provides extensive redefinitions to MBR (minimum budget requirement).
 - Reduces charter school per pupil funding by \$500 each year. New amounts are \$10,500 in FY 2014 and \$11,000 in FY 2015.
 - Provides an additional \$2,020,000 to Norwalk in priority school district grant.
 - Allows the State Board of Education to approve adult education programs in New Haven and Bridgeport.
 - Creates the Governor's Scholarship Program which provides merit and need based financial aid.
 - Requires SDE to establish an academic advancement program to allow 11th and 12th graders to test out of HS graduation requirements.
- **STATE EMPLOYEES**
 - Rejected the Governor's proposal to consolidate staff at the Freedom of Information Commission, Office of State Ethics and the State Elections Enforcement Commission.

- Requires the Court Support Services Division within the Judicial Department to assess and report on the effectiveness of programs they provide.
- Requires the Judicial Department to reduce expenditures by \$950,000 over the biennium.
- Allows municipal employees to participate in the state's employees Health Enhancement Program.
- Requires community technical colleges to report on remediation programs.
- Makes various changes to state employee employment issues: (1) requiring classifications to be done at least every 5 years; (2) requiring employment in more than 1 agency that results in overtime to be approved by the Commissioner of DAS; and (3) reinstating paid sick leave for certain reinstated state employees.

Contracts/Appointments

- **HR 7/SR 8 A&R Memorandum of Understanding** – Approved an MOU between A&R and the State regarding tuition reimbursement.
- **HR 14/SR 25 SVFT Contract Reopener** – Approved contract reopener between SVFT and the State regarding the use of substitutes and their rates of pay.
- **HJR 80/HJR 86/SJR 52 Education Arbitration Board** – Renewed appointments for all AFT Connecticut attorneys (James Ferguson, Brian Doyle & Eric Chester) to the Education Arbitration Board.

Wins for the Movement

- **SB 387 Minimum Wage** – Increases the minimum wage from \$8.25 to \$8.70 in 2014 and \$9.00 in 2015.
- **HB 6580 Cross Endorsements** – Defeated attempts to eliminate the ability of minor political parties, including the Working Families Party, to cross-endorse candidates on the ballot. Numerous other campaign finance changes.

LOSSES

AFT Connecticut Bills

- **HB 5713 Labor History** – Would have allowed Labor history and the collective bargaining process to be included in public school curriculum. It passed from the Labor and Education committees, but was never called.
- **HB 6416 Charter School Organizing** – Would have allowed charter school teachers seeking to form a union to submit their petition to the State Board of Education rather than the individual charter school board, which often is comprised of direct supervisors. It passed both chambers, but was amended in the Senate, sending it to back to the House as a disagreeing action. It died when time ran out on the last night of session.
- **HB 6520 For-Profit Hospital Transparency** – Would have required for-profit hospitals to report additional information. It died after a public hearing due to heavy lobbying from the Connecticut Hospital Association.
- **HB 6556 Sick Buildings** – Would have provided workers' compensation and disability benefits to state employees suffering from sick building syndrome. A hefty fiscal note killed the bill.
- **SB 968 Hospital Nurse Staffing** – Would have required all hospitals to report actual nurse staffing ratios. It died after a public hearing due to heavy lobbying from the Connecticut Hospital Association.

Other Bills

- **HB 6365 Alternative Route to Certification** – Requires the State Board of Education to issue an initial educator certificate to any person who has graduated from the summer or weekend and evening ARC program administered by the Office of Higher Education. Applicants who have completed the ARC program must also satisfy requirements in existing law: completion of (1) teaching training equivalents required by SBE and accredited by the BOR and (2) a subject area major, unless a teacher shortage in a subject area justifies a waiver.
- **HB 6447 Attorney Tax** – Increases the maximum amount an attorney who does not practice law as his or her primary occupation can earn per year in legal fees or other compensation without being required to file an annual return and pay a \$565 occupational tax.
- **SB 823 Workers' Compensation Expansion** – Would have required workers' compensation to cover mental and emotional workplace injuries. A hefty fiscal note and heavy lobbying from the Connecticut Conference of Municipalities killed the bill.
- **SB 992 For Profit Medical Foundation** – Allows Vanguard Healthcare Inc. to establish the first for-profit medical foundation in the state as required in its letter of intent with Bristol and Waterbury hospitals.
- **HB 6359 Office of Early Childhood** – Would have established the Office of Early Childhood at the State Department of Education to house and administer all early childhood programs now being offered at several different agencies. Inter-chamber partisan disputes prevented it from receiving final action.

Budget – HB 6704, HB 6705 & HB 6706HEALTHCARE

- Eliminates Disproportionate Share (DSH) payments to hospitals, accounting for a \$550M loss to hospitals, but requires the Commissioner of Social Services to create a \$30M pool for “low-cost” (neediest?) hospitals.
- Raises license fees for RNs, LPNs, and APRNs by \$5 each
- Allows discontinuation of NICU transport services at John Dempsey Hospital if such services are provided by another qualified transport service.
- **PRE-K-12**
 - Removes slots for education stakeholders, including AFT Connecticut, on the Commission for Education Technology with the Department of Administrative Services.
 - Expands circumstances under which non-certified private sector specialists may teach in shortage area subjects