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Governor Signs Budget Implementation Bill Regarding Education

On October 5, 2009, Governor Rell signed into law Public Act 09-6 implementing the State budget provisions concerning education. Among other things, the legislation delays the implementation of the in-school suspension law; establishes a successor program to the Beginning Educator Support and Training (BEST) program; permits, in certain circumstances, school districts to employ substitute teachers who do not possess a bachelor's degree; and changes the law regarding student withdrawal from school and the subsequent readmission of such students.

In-School Suspensions

In a highly anticipated move, the General Assembly has extended from July 1, 2009 until July 1, 2010 the implementation date of a 2007 law regarding in-school suspensions. The 2007 law, which had gone into effect on July 1, 2009, required that all suspensions be served in school unless the school administration first determined that the student (1) poses such a danger to persons or property, or (2) is so disruptive of the educational process that the student must serve the suspension out of school. After considerable debate, the legislature has once again delayed this presumption in favor of in-school suspensions. These new in-school suspension requirements will now go into effect on July 1, 2010.

New Teacher Training

This new legislation requires the State Department of Education to establish and implement a new Teacher Education and Mentoring (TEAM) program to replace the discontinued Beginning Educator Support and Training (BEST) program. By law, new teachers have to successfully complete a beginning educator program in order to be eligible for the next level of certification, the provisional educator certification. Under the new TEAM program, the State Department of Education must establish a beginning teacher program that is aligned with teaching principles approved by the State Board of Education. This program requires beginning teachers to develop a two-year individualized mentoring plan and to complete instructional modules in the following areas: (1) classroom management and climate, (2) lesson planning and unit design, (3) delivery of instruction, (4) assessment of student learning, and (5) professional practice.

In addition, school districts are now required to develop a three-year plan for participation in the TEAM program, and must form -- along with teachers' union representatives -- a local or regional coordinating committee to guide its activities under the plan. Among other things, the law requires schools to assign mentors to work with the district's new teachers;



communicate regularly with teachers about training opportunities, support groups and the like; and submit an annual report on mentor and teacher activities to the district's coordinating committee for review and approval.

Substitute Teachers

Earlier this year, the General Assembly had eliminated the authority of the Commissioner of Education to waive the legal requirement that substitute teachers possess at least a bachelor's degree. Under this new law, however, for the 2009-2010 school year only, school districts will be permitted to employ substitute teachers who do not possess a bachelor's degree, but only when such substitutes are hired for teaching assignments lasting ten or fewer school days.

Student Withdrawal from School

The legislation changes the age at which a parent or guardian may consent to a student's withdrawal from school. Connecticut law currently requires that parents and guardians of a child between the ages of five and eighteen cause their child to attend public school in the district in which the child resides, unless the child is a high school graduate or the parent can demonstrate that the child is receiving equivalent instruction elsewhere (e.g., private schooling or home instruction). Currently, if a student is sixteen or seventeen years old, a parent/guardian may consent to the child's withdrawal from school. Effective July, 2011, however, the parent/guardian of a sixteen year old child may no longer consent to have his/her child withdraw from school, as the age at which such withdrawal is permitted will be seventeen.

The law also affects the procedures a parent/guardian of a sixteen or seventeen year old must follow when consenting to the student's

voluntary withdrawal from school. Connecticut law currently requires that when a parent/guardian withdraws a sixteen or seventeen year old child from school, the parent/guardian must personally appear in school to sign a withdrawal form for the child. Under the new law, the withdrawal form must include an attestation from a guidance counselor or other school administrator that the school district has provided the parent/guardian with information regarding the educational options available in the school system and the community.

Readmission of Students

Finally, this new legislation also changes the existing requirements regarding students who seek readmission to school after voluntarily terminating enrollment. Under the current law, if a student who is at least sixteen years old voluntarily terminates enrollment in school and then seeks readmission, the school may deny the student school accommodations for up to 90 days from the termination date. Beginning with the 2010-2011 school year, however, if such a student seeks readmission to school within ten school days of his/her withdrawal, the board of education must provide school accommodations to the student within three days after the student requests readmission. As noted above, beginning on July 1, 2011, this law applies only to students who are at least seventeen years old, as sixteen year olds will no longer be permitted to withdraw from school as of that date, even with parent permission.

The above summary describes only a few of the more significant provisions from the budget implementation bill. You can access the full text of the new law by clicking here: <http://www.cga.ct.gov/2009/TOB/S/2009SB-02053-R00-SB.htm>.

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