



General Assembly

January Session, 2023

Raised Bill No. 1028

LCO No. 4307



Referred to Committee on EDUCATION

Introduced by:
(ED)

***AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE
DEPARTMENT OF EDUCATION.***

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

1 Section 1. Subsections (a) to (c), inclusive, of section 10-262u of the
2 general statutes are repealed and the following is substituted in lieu
3 thereof (*Effective July 1, 2023*):

4 (a) As used in this section and section 10-262i:

5 (1) "Alliance district" means (A) for the fiscal years ending June 30,
6 2012, to June 30, 2027, inclusive, a school district for a town that [(A)] (i)
7 is among the towns with the thirty-three lowest accountability index
8 scores, as calculated by the Department of Education, or [(B)] (ii) was
9 previously designated as an alliance district by the Commissioner of
10 Education, [for the fiscal years ending June 30, 2013, to June 30, 2022,
11 inclusive] and (B) for the fiscal year ending June 30, 2028, and each fiscal
12 year thereafter, a school district for a town that is among the towns with
13 the thirty-three lowest accountability index scores, as calculated by the
14 Department of Education.

15 (2) "Accountability index" has the same meaning as provided in
16 section 10-223e.

17 (3) "Mastery test data of record" has the same meaning as provided
18 in section 10-262f.

19 (4) "Educational reform district" means an alliance district that is
20 among the ten lowest accountability index scores when all towns are
21 ranked highest to lowest in accountability index scores.

22 (b) (1) For the fiscal year ending June 30, 2013, the Commissioner of
23 Education shall designate thirty school districts as alliance districts. Any
24 school district designated as an alliance district shall be so designated
25 for a period of five years. On or before June 30, 2016, the Department of
26 Education shall determine if there are any additional alliance districts.

27 (2) For the fiscal year ending June 30, 2018, the commissioner shall
28 designate thirty-three school districts as alliance districts. Any school
29 district designated as an alliance district shall be so designated for a
30 period of five years.

31 (3) For the fiscal year ending June 30, 2023, the commissioner shall
32 designate thirty-six school districts as alliance districts. Any school
33 district designated as an alliance district shall be so designated for a
34 period of five years.

35 (4) For the fiscal year ending June 30, 2028, and every five years
36 thereafter, the commissioner shall designate thirty-three school districts
37 as alliance districts. Any school district designated as an alliance district
38 shall be so designated for a period of five years. Any school district that
39 was previously designated as an alliance district, but is no longer among
40 the towns with the thirty-three lowest accountability index scores, as
41 calculated by the Department of Education, shall retain the designation
42 for the purposes of subdivision (1) of subsection (c) of this section and
43 section 10-262h, as amended by this act.

44 (c) (1) For the fiscal year ending June 30, 2023, [and each fiscal year

45 thereafter,] the Comptroller shall withhold from any town that (A) was
 46 designated as an alliance district pursuant to subdivision (2) of
 47 subsection (b) of this section any increase in funds received over the
 48 amount the town received for the fiscal year ending June 30, 2012,
 49 pursuant to subsection (a) of section 10-262i, and (B) was designated as
 50 an alliance district for the first time pursuant to subdivision (3) of
 51 subsection (b) of this section, any increase in funds received over the
 52 amount the town received for the fiscal year ending June 30, 2022,
 53 pursuant to subsection (a) of section 10-262i. For the fiscal year ending
 54 June 30, 2024, and each fiscal year thereafter, the Comptroller shall
 55 withhold from any town that was designated as an alliance district
 56 pursuant to subdivisions (2) and (3) of subsection (b) of this section any
 57 increase in funds received over the amount the town received for the
 58 fiscal year ending June 30, 2012, pursuant to subsection (a) of section 10-
 59 262i. The Comptroller shall transfer such funds to the Commissioner of
 60 Education.

61 (2) Upon receipt of an application pursuant to subsection (d) of this
 62 section or section 10-156gg, the Commissioner of Education may pay
 63 such funds to the town designated as an alliance district and such town
 64 shall pay all such funds to the local or regional board of education for
 65 such town on the condition that such funds shall be expended in
 66 accordance with (A) the plan described in subsection (d) of this section,
 67 (B) the minority candidate certification, retention or residency year
 68 program pursuant to section 10-156gg, (C) the provisions of subsection
 69 (c) of section 10-262i, and (D) any guidelines developed by the State
 70 Board of Education for such funds. Such funds shall be used to improve
 71 student achievement and recruit and retain minority teachers in such
 72 alliance district and to offset any other local education costs approved
 73 by the commissioner.

74 Sec. 2. Subsections (j) to (l), inclusive, of section 10-262h of the general
 75 statutes are repealed and the following is substituted in lieu thereof
 76 (*Effective July 1, 2023*):

77 (j) For the fiscal year ending June 30, 2028, each town maintaining

78 public schools according to law shall be entitled to an equalization aid
79 grant as follows: (1) Any town whose fully funded grant is greater than
80 its equalization aid grant amount for the previous fiscal year shall be
81 entitled to an equalization aid grant in an amount equal to its fully
82 funded grant; (2) any town whose fully funded grant is less than its
83 equalization aid grant amount for the previous fiscal year shall be
84 entitled to an equalization aid grant in an amount equal to its
85 equalization aid grant amount for the previous fiscal year minus thirty-
86 three and thirty-three-one-hundredths per cent of its grant adjustment;
87 and (3) any town designated as an alliance district and any town that
88 was previously designated as an alliance district pursuant to section 10-
89 262u, as amended by this act, shall be entitled to an equalization aid
90 grant in an amount that is the greater of (A) the amount described in
91 either subdivision (1) of this subsection or subdivision (2) of this
92 subsection, as applicable, (B) its base grant amount, or (C) its
93 equalization aid grant entitlement for the previous fiscal year.

94 (k) For the fiscal year ending June 30, 2029, each town maintaining
95 public schools according to law shall be entitled to an equalization aid
96 grant as follows: (1) Any town whose fully funded grant is greater than
97 its equalization aid grant amount for the previous fiscal year shall be
98 entitled to an equalization aid grant in an amount equal to its fully
99 funded grant; (2) any town whose fully funded grant is less than its
100 equalization aid grant amount for the previous fiscal year shall be
101 entitled to an equalization aid grant in an amount equal to its
102 equalization aid grant amount for the previous fiscal year minus fifty
103 per cent of its grant adjustment; and (3) any town designated as an
104 alliance district and any town that was previously designated as an
105 alliance district pursuant to section 10-262u, as amended by this act,
106 shall be entitled to an equalization aid grant in an amount that is the
107 greater of (A) the amount described in either subdivision (1) of this
108 subsection or subdivision (2) of this subsection, as applicable, (B) its base
109 grant amount, or (C) its equalization aid grant entitlement for the
110 previous fiscal year.

111 (l) For the fiscal year ending June 30, 2030, and each fiscal year

112 thereafter, each town maintaining public schools according to law shall
113 be entitled to an equalization aid grant in an amount equal to its fully
114 funded grant, except any town designated as an alliance district and any
115 town that was previously designated as an alliance district pursuant to
116 section 10-262u, as amended by this act, shall be entitled to an
117 equalization aid grant in an amount that is the greater of (1) its fully
118 funded grant, (2) its base grant amount, or (3) its equalization aid grant
119 entitlement for the previous fiscal year.

120 Sec. 3. Section 10-151b of the general statutes is repealed and the
121 following is substituted in lieu thereof (*Effective July 1, 2023*):

122 (a) The superintendent of each local or regional board of education
123 shall annually evaluate or cause to be evaluated each teacher, and for
124 the school year commencing July 1, [2013] 2023, and each school year
125 thereafter, such annual evaluations shall be the teacher evaluation and
126 support program adopted pursuant to subsection (b) of this section. The
127 superintendent may conduct additional formative evaluations toward
128 producing an annual summative evaluation. An evaluation pursuant to
129 this subsection shall include, but need not be limited to, strengths, areas
130 needing improvement, strategies for improvement and multiple
131 indicators of student academic growth. Claims of failure to follow the
132 established procedures of such teacher evaluation and support program
133 shall be subject to the grievance procedure in collective bargaining
134 agreements negotiated subsequent to July 1, 2004. In the event that a
135 teacher does not receive a summative evaluation during the school year,
136 such teacher shall receive a "not rated" designation for such school year.
137 The superintendent shall report (1) the status of teacher evaluations to
138 the local or regional board of education on or before June first of each
139 year, and (2) the status of the implementation of the teacher evaluation
140 and support program, including the frequency of evaluations, aggregate
141 evaluation ratings, the number of teachers who have not been evaluated
142 and other requirements as determined by the Department of Education,
143 to the Commissioner of Education on or before September fifteenth of
144 each year. For purposes of this section, the term "teacher" shall include
145 each professional employee of a board of education, below the rank of

146 superintendent, who holds a certificate or permit issued by the State
147 Board of Education.

148 (b) Except as provided in subsection (d) of this section, not later than
149 [September 1, 2013] October first of each year, each local and regional
150 board of education shall adopt and implement a teacher evaluation and
151 support program that is consistent with the guidelines for a model
152 teacher evaluation and support program adopted by the State Board of
153 Education, pursuant to subsection (c) of this section. Such teacher
154 evaluation and support program shall be developed through mutual
155 agreement between the local or regional board of education and the
156 professional development and evaluation committee for the school
157 district, established pursuant to subsection (b) of section 10-220a. If a
158 local or regional board of education is unable to develop a teacher
159 evaluation and support program through mutual agreement with such
160 professional development and evaluation committee, then such board
161 of education and such professional development and evaluation
162 committee shall consider the model teacher evaluation and support
163 program adopted by the State Board of Education, pursuant to
164 subsection (c) of this section, and such board of education may adopt,
165 through mutual agreement with such professional development and
166 evaluation committee, such model teacher evaluation and support
167 program. If a local or regional board of education and the professional
168 development and evaluation committee are unable to mutually agree on
169 the adoption of such model teacher evaluation and support program,
170 then such board of education shall adopt and implement a teacher
171 evaluation and support program developed by such board of education,
172 provided such teacher evaluation and support program is consistent
173 with the guidelines adopted by the State Board of Education, pursuant
174 to subsection (c) of this section. Each local and regional board of
175 education may commence implementation of the teacher evaluation and
176 support program adopted pursuant to this subsection in accordance
177 with a teacher evaluation and support program implementation plan
178 adopted pursuant to subsection (d) of this section.

179 (c) (1) On or before July 1, [2012] 2023, the State Board of Education

180 shall adopt, in consultation with the Performance Evaluation Advisory
181 Council established pursuant to section 10-151d, guidelines for a model
182 teacher evaluation and support program. Such guidelines shall include,
183 but not be limited to, (A) the use of [four] performance evaluations
184 designators; [Exemplary, proficient, developing and below standard;]
185 (B) the use of multiple indicators of student academic growth and
186 development in teacher evaluations; (C) methods for assessing student
187 academic growth and development; (D) a consideration of control
188 factors tracked by the state-wide public school information system,
189 pursuant to subsection (c) of section 10-10a, that may influence teacher
190 performance ratings, including, but not limited to, student
191 characteristics, student attendance and student mobility; (E) minimum
192 requirements for teacher evaluation instruments and procedures,
193 including scoring systems to determine [exemplary, proficient,
194 developing and below standard] summative ratings; (F) the
195 development and implementation of periodic training programs
196 regarding the teacher evaluation and support program to be offered by
197 the local or regional board of education or regional educational service
198 center for the school district to teachers who are employed by such local
199 or regional board of education and whose performance is being
200 evaluated and to administrators who are employed by such local or
201 regional board of education and who are conducting performance
202 evaluations; (G) the provision of professional development services
203 based on the individual or group of individuals' needs that are
204 identified through the evaluation process; (H) the creation of individual
205 teacher improvement and remediation plans for teachers whose
206 [performance is developing or below standard] summative rating
207 demonstrates a need for additional support to meet criteria established
208 for educator practice and performance or student academic growth and
209 development, designed in consultation with such teacher and his or her
210 exclusive bargaining representative for certified teachers chosen
211 pursuant to section 10-153b, and that (i) identify resources, support and
212 other strategies to be provided by the local or regional board of
213 education to address documented deficiencies, (ii) indicate a timeline
214 for implementing such resources, support, and other strategies, in the

215 course of the same school year as the plan is issued, and (iii) include
216 indicators of success including a summative rating of proficient or better
217 immediately at the conclusion of the improvement and remediation
218 plan; (I) opportunities for career development and professional growth;
219 and (J) a validation procedure to audit [evaluation] summative ratings
220 [of exemplary or below standard] by the department or a third-party
221 entity approved by the department.

222 (2) The State Board of Education [shall, following the completion of
223 the teacher evaluation and support pilot program, pursuant to section
224 10-151f, and the submission of the study of such pilot program,
225 pursuant to section 10-151g, review and] may revise, as necessary, the
226 guidelines for a model teacher evaluation and support program and the
227 model teacher evaluation and support program adopted under this
228 subsection.

229 (d) A local or regional board of education may phase in full
230 implementation of the teacher evaluation and support program adopted
231 pursuant to subsection (b) of this section during the school years
232 commencing July 1, [2013] 2023, and July 1, [2014] 2024, pursuant to a
233 teacher evaluation and support program implementation plan adopted
234 by the State Board of Education, in consultation with the Performance
235 Evaluation Advisory Council, not later than July 1, [2013] 2023. The
236 Commissioner of Education may, upon request of a local or regional
237 board of education, waive the provisions of subsection (b) of this section
238 and the implementation plan provisions of this subsection for [any local
239 or regional board of education that has expressed an intent, not later
240 than July 1, 2013,] any such board, provided such board submits an
241 explanation for why such board would like to adopt [a] an alternate
242 teacher evaluation program. [for which such board requests a waiver in
243 accordance with this subsection.]

244 Sec. 4. Subsections (a) and (b) of section 10-264l of the general statutes
245 are repealed and the following is substituted in lieu thereof (*Effective July*
246 *1, 2023*):

247 (a) The Department of Education shall, within available
248 appropriations, establish a grant program (1) to assist (A) local and
249 regional boards of education, (B) regional educational service centers,
250 (C) the Board of Trustees of the Community-Technical Colleges on
251 behalf of Quinebaug Valley Community College and Three Rivers
252 Community College, and (D) cooperative arrangements pursuant to
253 section 10-158a, and (2) in assisting the state in meeting its obligations
254 pursuant to the decision in *Sheff v. O'Neill*, 238 Conn. 1 (1996), or any
255 related stipulation or order in effect, as determined by the
256 commissioner, to assist (A) the Board of Trustees of the Community-
257 Technical Colleges on behalf of a regional community-technical college,
258 (B) the Board of Trustees of the Connecticut State University System on
259 behalf of a state university, (C) the Board of Trustees of The University
260 of Connecticut on behalf of the university, (D) the board of governors
261 for an independent institution of higher education, as defined in
262 subsection (a) of section 10a-173, or the equivalent of such a board, on
263 behalf of the independent institution of higher education, and (E) any
264 other third-party not-for-profit corporation approved by the
265 commissioner with the operation of interdistrict magnet school
266 programs. All interdistrict magnet schools shall be operated in
267 conformance with the same laws and regulations applicable to public
268 schools. For the purposes of this section "an interdistrict magnet school
269 program" means a program which (i) supports racial, ethnic and
270 economic diversity, (ii) offers a special and high quality curriculum, and
271 (iii) requires students who are enrolled to attend at least half-time. An
272 interdistrict magnet school program does not include a regional
273 agricultural science and technology school, a technical education and
274 career school or a regional special education center. For the school
275 [years] year commencing July 1, 2017, [to July 1, 2023, inclusive] and
276 each school year thereafter, the governing authority for each
277 interdistrict magnet school program shall (I) restrict the number of
278 students that may enroll in the school from a participating district to
279 seventy-five per cent of the total school enrollment, and (II) maintain a
280 total school enrollment that is in accordance with the reduced-isolation
281 setting standards for interdistrict magnet school programs, developed

282 by the Commissioner of Education pursuant to section 10-264r, as
283 amended by this act.

284 (b) (1) Applications for interdistrict magnet school program
285 operating grants awarded pursuant to this section shall be submitted
286 annually to the Commissioner of Education at such time and in such
287 manner as the commissioner prescribes, except that on and after July 1,
288 2009, applications for such operating grants for new interdistrict magnet
289 schools, other than those that the commissioner determines will assist
290 the state in meeting its obligations pursuant to the decision in *Sheff v.*
291 *O'Neill*, 238 Conn. 1 (1996), or any related stipulation or order in effect,
292 as determined by the commissioner, shall not be accepted until the
293 commissioner develops a comprehensive state-wide interdistrict
294 magnet school plan. The commissioner shall submit such
295 comprehensive state-wide interdistrict magnet school plan on or before
296 October 1, 2016, to the joint standing committees of the General
297 Assembly having cognizance of matters relating to education and
298 appropriations.

299 (2) In determining whether an application shall be approved and
300 funds awarded pursuant to this section, the commissioner shall
301 consider, but such consideration shall not be limited to: (A) Whether the
302 program offered by the school is likely to increase student achievement;
303 (B) whether the program is likely to reduce racial, ethnic and economic
304 isolation; (C) the percentage of the student enrollment in the program
305 from each participating district; and (D) the proposed operating budget
306 and the sources of funding for the interdistrict magnet school. For a
307 magnet school not operated by a local or regional board of education,
308 the commissioner shall only approve a proposed operating budget that,
309 on a per pupil basis, does not exceed the maximum allowable threshold
310 established in accordance with this subdivision. The maximum
311 allowable threshold shall be an amount equal to one hundred twenty
312 per cent of the state average of the quotient obtained by dividing net
313 current expenditures, as defined in section 10-261, by average daily
314 membership, as defined in said section, for the fiscal year two years
315 prior to the fiscal year for which the operating grant is requested. The

316 Department of Education shall establish the maximum allowable
317 threshold no later than December fifteenth of the fiscal year prior to the
318 fiscal year for which the operating grant is requested. If requested by an
319 applicant that is not a local or regional board of education, the
320 commissioner may approve a proposed operating budget that exceeds
321 the maximum allowable threshold if the commissioner determines that
322 there are extraordinary programmatic needs. For the fiscal years ending
323 June 30, 2017, June 30, 2018, June 30, 2020, and June 30, 2021, in the case
324 of an interdistrict magnet school that will assist the state in meeting its
325 obligations pursuant to the decision in *Sheff v. O'Neill*, 238 Conn. 1
326 (1996), or any related stipulation or order in effect, as determined by the
327 commissioner, the commissioner shall also consider whether the school
328 is meeting the reduced-isolation setting standards for interdistrict
329 magnet school programs, developed by the commissioner pursuant to
330 section 10-264r, as amended by this act. If such school has not met such
331 reduced-isolation setting standards, it shall not be entitled to receive a
332 grant pursuant to this section unless the commissioner finds that it is
333 appropriate to award a grant for an additional year or years and
334 approves a plan to bring such school into compliance with such
335 reduced-isolation setting standards. If requested by the commissioner,
336 the applicant shall meet with the commissioner or the commissioner's
337 designee to discuss the budget and sources of funding.

338 (3) For the fiscal [years] year ending June 30, 2018, [to June 30, 2023,
339 inclusive] and each fiscal year thereafter, the commissioner shall not
340 award a grant to an interdistrict magnet school program that (A) has
341 more than seventy-five per cent of the total school enrollment from one
342 school district, or (B) does not maintain a total school enrollment that is
343 in accordance with the reduced-isolation setting standards for
344 interdistrict magnet school programs, developed by the Commissioner
345 of Education pursuant to section 10-264r, as amended by this act, except
346 the commissioner may award a grant to such school for an additional
347 year or years if the commissioner finds it is appropriate to do so and
348 approves a plan to bring such school into compliance with such
349 residency or reduced-isolation setting standards.

350 (4) For the fiscal years ending June 30, 2018, to June 30, 2021,
351 inclusive, if an interdistrict magnet school program does not maintain a
352 total school enrollment that is in accordance with the reduced-isolation
353 setting standards for interdistrict magnet school programs, developed
354 by the commissioner pursuant to section 10-264r, as amended by this
355 act, for two or more consecutive years, the commissioner may impose a
356 financial penalty on the operator of such interdistrict magnet school
357 program, or take any other measure, in consultation with such operator,
358 as may be appropriate to assist such operator in complying with such
359 reduced-isolation setting standards.

360 Sec. 5. Subparagraph (C) of subdivision (3) of subsection (c) of section
361 10-264l of the general statutes is repealed and the following is
362 substituted in lieu thereof (*Effective July 1, 2023*):

363 (C) (i) For the fiscal years ending June 30, 2015, to June 30, 2019,
364 inclusive, each interdistrict magnet school operated by a regional
365 educational service center that began operations for the school year
366 commencing July 1, 2001, and that for the school year commencing July
367 1, 2008, enrolled at least fifty-five per cent, but no more than eighty per
368 cent of the school's students from a single town, shall receive a per pupil
369 grant (I) for each enrolled student who is a resident of the district that
370 enrolls at least fifty-five per cent, but no more than eighty per cent of the
371 school's students, up to an amount equal to the total number of such
372 enrolled students as of October 1, 2013, using the data of record, in the
373 amount of eight thousand one hundred eighty dollars, (II) for each
374 enrolled student who is a resident of the district that enrolls at least fifty-
375 five per cent, but not more than eighty per cent of the school's students,
376 in an amount greater than the total number of such enrolled students as
377 of October 1, 2013, using the data of record, in the amount of three
378 thousand dollars, (III) for each enrolled student who is not a resident of
379 the district that enrolls at least fifty-five per cent, but no more than
380 eighty per cent of the school's students, up to an amount equal to the
381 total number of such enrolled students as of October 1, 2013, using the
382 data of record, in the amount of eight thousand one hundred eighty
383 dollars, and (IV) for each enrolled student who is not a resident of the

384 district that enrolls at least fifty-five per cent, but not more than eighty
385 per cent of the school's students, in an amount greater than the total
386 number of such enrolled students as of October 1, 2013, using the data
387 of record, in the amount of seven thousand eighty-five dollars.

388 (ii) For the fiscal [year] years ending June 30, 2020, [and each fiscal
389 year thereafter] to June 30, 2023, each interdistrict magnet school
390 operated by a regional educational service center that began operations
391 for the school year commencing July 1, 2001, and that for the school year
392 commencing July 1, 2008, enrolled at least fifty-five per cent, but not
393 more than eighty per cent of the school's students from a single town,
394 shall receive a per pupil grant (I) for each enrolled student who is a
395 resident of the district that enrolls at least fifty-five per cent, but not
396 more than eighty per cent of the school's students, up to an amount
397 equal to the total number of such enrolled students as of October 1, 2013,
398 using the data of record, in the amount of eight thousand three hundred
399 forty-four dollars, (II) for each enrolled student who is a resident of the
400 district that enrolls at least fifty-five per cent, but not more than eighty
401 per cent of the school's students, in an amount greater than the total
402 number of such enrolled students as of October 1, 2013, using the data
403 of record, in the amount of three thousand sixty dollars, (III) for each
404 enrolled student who is not a resident of the district that enrolls at least
405 fifty-five per cent, but no more than eighty per cent of the school's
406 students, up to an amount equal to the total number of such enrolled
407 students as of October 1, 2013, using the data of record, in the amount
408 of eight thousand three hundred forty-four dollars, and (IV) for each
409 enrolled student who is not a resident of the district that enrolls at least
410 fifty-five per cent, but not more than eighty per cent of the school's
411 students, in an amount greater than the total number of such enrolled
412 students as of October 1, 2013, using the data of record, in the amount
413 of seven thousand two hundred twenty-seven dollars.

414 Sec. 6. Subsection (o) of section 10-264l of the general statutes is
415 repealed and the following is substituted in lieu thereof (*Effective July 1,*
416 *2023*):

417 (o) For the school years commencing July 1, 2009, to July 1, 2018,
418 inclusive, and for the school year commencing July 1, 2023, and each
419 school year thereafter, any local or regional board of education
420 operating an interdistrict magnet school pursuant to the decision in
421 Sheff v. O'Neill, 238 Conn. 1 (1996), or any related stipulation or order
422 in effect, shall not charge tuition for any student enrolled in a preschool
423 program or in kindergarten to grade twelve, inclusive, in an interdistrict
424 magnet school operated by such school district, except the Hartford
425 school district may charge tuition for any student enrolled in the Great
426 Path Academy.

427 Sec. 7. Section 10-264r of the general statutes is repealed and the
428 following is substituted in lieu thereof (*Effective July 1, 2023*):

429 Not later than July 1, 2017, the Commissioner of Education shall
430 develop reduced-isolation [setting] enrollment standards for
431 interdistrict magnet school programs that shall serve as the enrollment
432 requirements for purposes of section 10-264l, as amended by this act.
433 Such standards shall (1) comply with the decision of Sheff v. O'Neill, 238
434 Conn. 1 (1996), or any related stipulation or order in effect, for an
435 interdistrict magnet school program located in the Sheff region, (2)
436 define the term "reduced-isolation student" for purposes of the
437 standards, [(2)] (3) establish a requirement for the minimum percentage
438 of reduced-isolation students that can be enrolled in an interdistrict
439 magnet school program, provided such minimum percentage is not less
440 than twenty per cent of the total school enrollment, [(3)] (4) allow an
441 interdistrict magnet school program to have a total school enrollment of
442 reduced-isolation students that is not more than one per cent below the
443 minimum percentage established by the commissioner, provided the
444 commissioner approves a plan that is designed to bring the number of
445 reduced-isolation students of such interdistrict magnet school program
446 into compliance with the minimum percentage, and [(4)] (5) for the
447 school year commencing July 1, 2018, authorize the commissioner to
448 establish on or before May 1, 2018, and revise as necessary thereafter, an
449 alternative reduced-isolation student enrollment percentage for an
450 interdistrict magnet school program located in the Sheff region, as

451 defined in subsection (k) of section 10-264l, provided the commissioner
 452 (A) determines that such alternative (i) increases opportunities for
 453 students who are residents of Hartford to access an educational setting
 454 with reduced racial isolation or other categories of diversity, including,
 455 but not limited to, geography, socioeconomic status, special education,
 456 English language learners and academic achievement, (ii) complies with
 457 the decision of *Sheff v. O'Neill*, 238 Conn. 1 (1996), or any related
 458 stipulation or order in effect, and (B) approves a plan for such
 459 interdistrict magnet school program that is designed to bring the
 460 number of reduced-isolation students of such interdistrict magnet
 461 school program into compliance with such alternative or the minimum
 462 percentage described in subdivision (2) of this section. Not later than
 463 May 1, 2018, the commissioner shall submit a report on each alternative
 464 reduced-isolation student enrollment percentage established, pursuant
 465 to subdivision (4) of this section, for an interdistrict magnet school
 466 program located in the Sheff region to the joint standing committee of
 467 the General Assembly having cognizance of matters relating to
 468 education, in accordance with the provisions of section 11-4a. The
 469 reduced-isolation setting standards for interdistrict magnet school
 470 programs shall not be deemed to be regulations, as defined in section 4-
 471 166.

472 Sec. 8. Section 10-262s of the general statutes is repealed and the
 473 following is substituted in lieu thereof (*Effective July 1, 2023*):

474 (a) The Commissioner of Education may, to assist the state in meeting
 475 its obligations pursuant to the decision in *Sheff v. O'Neill*, 238 Conn. 1
 476 (1996), or any related stipulation or order in effect, as determined by the
 477 Commissioner of Education, transfer funds appropriated for the Sheff
 478 settlement to the following: (1) Grants for interdistrict cooperative
 479 programs pursuant to section 10-74d, (2) grants for state charter schools
 480 pursuant to section 10-66ee, (3) grants for the interdistrict public school
 481 attendance program pursuant to section 10-266aa, (4) grants for
 482 interdistrict magnet schools pursuant to section 10-264l, as amended by
 483 this act, and (5) to the Technical Education and Career System for
 484 programming.

485 (b) The Commissioner of Education may, to assist the state in meeting
486 its obligations pursuant to the decision in Sheff v. O'Neill, 238 Conn. 1
487 (1996), or any related stipulation or order in effect, as determined by the
488 Commissioner of Education, award grants with funds appropriated for
489 the Sheff settlement for academic and social student support programs
490 for the following voluntary interdistrict programs: (1) Interdistrict
491 cooperative programs pursuant to section 10-74d, (2) the interdistrict
492 public school attendance program pursuant to section 10-266aa, (3)
493 interdistrict magnet school programs pursuant to section 10-264l, as
494 amended by this act, and (4) the Technical Education and Career
495 System.

496 Sec. 9. Section 10-15f of the general statutes is repealed and the
497 following is substituted in lieu thereof (*Effective July 1, 2023*):

498 Interstate Compact on Educational Opportunity for Military
499 Children.

500 ARTICLE I

501 PURPOSE

502 It is the purpose of this compact to remove barriers to educational
503 success imposed on children of military families because of frequent
504 moves and deployment of their parents by:

505 A. Facilitating the timely enrollment of children of military families
506 and ensuring that they are not placed at a disadvantage due to difficulty
507 in the transfer of education records from the previous school districts or
508 variations in entrance or age requirements.

509 B. Facilitating the student placement process through which children
510 of military families are not disadvantaged by variations in attendance
511 requirements, scheduling, sequencing, grading, course content or
512 assessment.

513 C. Facilitating the qualification and eligibility for enrollment,
514 educational programs, and participation in extracurricular academic,

515 athletic, and social activities.

516 D. Facilitating the on-time graduation of children of military families.

517 E. Providing for the promulgation and enforcement of administrative
518 rules implementing the provisions of this compact.

519 F. Providing for the uniform collection and sharing of information
520 between and among member states, schools and military families under
521 this compact.

522 G. Promoting coordination between this compact and other compacts
523 affecting military children.

524 H. Promoting flexibility and cooperation between the educational
525 system, parents and the student in order to achieve educational success
526 for the student.

527 ARTICLE II

528 DEFINITIONS

529 As used in this compact, unless the context clearly requires a different
530 construction:

531 A. "Active duty" means full-time duty status in the active uniformed
532 service of the United States, including members of the National Guard
533 and Reserve on active duty orders pursuant to 10 USC [Section]
534 Chapters 1209 and 1211.

535 B. "Children of military families" means school-aged children,
536 enrolled in kindergarten through twelfth grade, in the household of an
537 active duty member.

538 C. "Compact commissioner" means the voting representative of each
539 compacting state appointed pursuant to Article VIII of this compact.

540 D. "Deployment" means the period one month prior to the service
541 members' departure from their home station on military orders to six

542 months after return to their home station.

543 E. "Educational records" means the official records, files, and data
544 directly related to a student and maintained by the school or local
545 education agency, including, but not limited, to records encompassing
546 all the material kept in the student's cumulative folder such as general
547 identifying data, records of attendance and of academic work
548 completed, records of achievement and results of evaluative tests, health
549 data, disciplinary status, test protocols and individualized education
550 programs.

551 F. "Extracurricular activities" means a voluntary activity sponsored
552 by the school or local education agency or an organization sanctioned
553 by the local education agency. Extracurricular activities include, but are
554 not limited to, preparation for and involvement in public performances,
555 contests, athletic competitions, demonstrations, displays and club
556 activities.

557 G. "Interstate Commission on Educational Opportunity for Military
558 Children" means the commission that is created under Article IX of this
559 compact, which is generally referred to as the Interstate Commission.

560 H. "Local education agency" means a public authority legally
561 constituted by the state as an administrative agency to provide control
562 of and direction for kindergarten through twelfth grade public
563 educational institutions.

564 I. "Member state" means a state that has enacted this compact.

565 J. "Military installation" means a base, camp, post, station, yard,
566 center, homeport facility for any ship, or other activity under the
567 jurisdiction of the Department of Defense, including any leased facility,
568 which is located within any of the several states, the District of
569 Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands,
570 Guam, American Samoa, the Northern Marianas Islands and any other
571 U.S. Territory. Such term does not include any facility used primarily
572 for civil works, rivers and harbors projects, or flood control projects.

573 K. "Nonmember state" means a state that has not enacted this
574 compact.

575 L. "Receiving state" means the state to which a child of a military
576 family is sent, brought or caused to be sent or brought.

577 M. "Rule" means a written statement by the Interstate Commission
578 promulgated pursuant to Article XII of this compact that is of general
579 applicability, implements, interprets or prescribes a policy or provision
580 of the compact, or an organizational, procedural or practice requirement
581 of the Interstate Commission, and has the force and effect of statutory
582 law in a member state, and includes the amendment, repeal or
583 suspension of an existing rule.

584 N. "Sending state" means the state from which a child of a military
585 family is sent, brought or caused to be sent or brought.

586 O. "State" means a state of the United States, the District of Columbia,
587 the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam,
588 American Samoa, the Northern Marianas Islands and any other U.S.
589 territory.

590 P. "Student" means the child of a military family for whom the local
591 education agency receives public funding and who is formally enrolled
592 in kindergarten through twelfth grade.

593 Q. "Transition" means (1) the formal and physical process of
594 transferring from school to school, or (2) the period of time in which a
595 student moves from one school in the sending state to another school in
596 the receiving state.

597 R. "Uniformed services" means the Army, Navy, Air Force, Marine
598 Corps, Coast Guard as well as the Commissioned Corps of the National
599 Oceanic and Atmospheric Administration, and Public Health Services.

600 S. "Veteran" means a person who served in the uniformed services
601 and who was discharged or released therefrom under conditions other
602 than dishonorable.

603 ARTICLE III

604 APPLICABILITY

605 A. Except as otherwise provided in Section B, this compact shall
606 apply to the children of:

607 1. Active duty members of the uniformed services as defined in this
608 compact, including members of the National Guard and Reserve on
609 active duty orders pursuant to 10 USC [Section] Chapters 1209 and 1211;

610 2. Members or veterans of the uniformed services who are severely
611 injured and medically discharged or retired for a period of one year after
612 medical discharge or retirement; and

613 3. Members of the uniformed services who die on active duty or as a
614 result of injuries sustained on active duty for a period of one year after
615 death.

616 B. The provisions of this interstate compact shall only apply to local
617 education agencies as defined in this compact.

618 C. The provisions of this compact shall not apply to the children of:

619 1. Inactive members of the National Guard and military reserves;

620 2. Members of the uniformed services now retired, except as
621 provided in Section A;

622 3. Veterans of the uniformed services, except as provided in Section
623 A of this Article; and

624 4. Other U.S. Dept. of Defense personnel and other federal agency
625 civilian and contract employees not defined as active duty members of
626 the uniformed services.

627 ARTICLE IV

628 EDUCATIONAL RECORDS & ENROLLMENT

629 A. In the event that official education records cannot be released to
630 the parents for the purpose of transfer, the custodian of the records in
631 the sending state shall prepare and furnish to the parent a complete set
632 of unofficial educational records containing uniform information as
633 determined by the Interstate Commission. Upon receipt of the unofficial
634 education records by a school in the receiving state, the school shall
635 enroll and appropriately place the student based on the information
636 provided in the unofficial records pending validation by the official
637 records, as quickly as possible.

638 B. Simultaneous with the enrollment and conditional placement of
639 the student, the school in the receiving state shall request the student's
640 official education record from the school in the sending state. Upon
641 receipt of this request, the school in the sending state will process and
642 furnish the official education records to the school in the receiving state
643 within ten days or within such time as is reasonably determined under
644 the rules promulgated by the Interstate Commission.

645 C. Compacting states shall give thirty days from the date of
646 enrollment or within such time as is reasonably determined under the
647 rules promulgated by the Interstate Commission, for students to obtain
648 any immunizations required by the receiving state. For a series of
649 immunizations, initial vaccinations must be obtained within thirty days
650 or within such time as is reasonably determined under the rules
651 promulgated by the Interstate Commission.

652 D. Students shall be allowed to continue their enrollment at grade
653 level in the receiving state commensurate with their grade level,
654 including kindergarten, from a local education agency in the sending
655 state at the time of transition, regardless of age. A student that has
656 satisfactorily completed the prerequisite grade level in the local
657 education agency in the sending state shall be eligible for enrollment in
658 the next highest grade level in the receiving state, regardless of age. A
659 student transferring after the start of the school year in the receiving
660 state shall enter the school in the receiving state on their validated level
661 from an accredited school in the sending state.

662 ARTICLE V

663 PLACEMENT & ATTENDANCE

664 A. When the student transfers before or during the school year, the
665 receiving state school shall initially honor placement of the student in
666 educational courses based on the student's enrollment in the sending
667 state school and educational assessments conducted at the school in the
668 sending state if the courses are offered. Course placement includes, but
669 is not limited to, honors, International Baccalaureate, advanced
670 placement, vocational, technical and career pathways courses.
671 Continuing the student's academic program from the previous school
672 and promoting placement in academically and career challenging
673 courses should be paramount when considering placement. This does
674 not preclude the school in the receiving state from performing
675 subsequent evaluations to ensure appropriate placement and continued
676 enrollment of the student in the courses.

677 B. The receiving state school shall initially honor placement of the
678 student in educational programs based on current educational
679 assessments conducted at the school in the sending state or participation
680 and placement in like programs in the sending state. Such programs
681 include, but are not limited to: (1) Gifted and talented programs; and (2)
682 English as a second language. This does not preclude the school in the
683 receiving state from performing subsequent evaluations to ensure
684 appropriate placement of the student.

685 C. (1) In compliance with the federal requirements of the Individuals
686 with Disabilities Education Act, 20 U.S.C.A. Section 1400 et seq., the
687 receiving state shall initially provide comparable services to a student
688 with disabilities based on his current individualized education
689 program; and (2) In compliance with the requirements of Section 504 of
690 the Rehabilitation Act, 29 U.S.C.A. Section 794, and with Title II of the
691 Americans with Disabilities Act, 42 U.S.C.A. Sections 12131-12165, the
692 receiving state shall make reasonable accommodations and
693 modifications to address the needs of incoming students with

694 disabilities, subject to an existing 504 or Title II Plan, to provide the
695 student with equal access to education. This does not preclude the
696 school in the receiving state from performing subsequent evaluations to
697 ensure appropriate placement of the student.

698 D. Local education agency administrative officials shall have
699 flexibility in waiving course and program prerequisites, or other
700 preconditions for placement in courses and programs offered under the
701 jurisdiction of the local education agency.

702 E. A student whose parent or legal guardian is an active duty member
703 of the uniformed services, as defined by the compact, and has been
704 called to duty for, is on leave from, or immediately returned from
705 deployment to a combat zone or combat support posting, shall be
706 granted additional excused absences at the discretion of the local
707 education agency superintendent to visit with his parent or legal
708 guardian relative to such leave or deployment of the parent or guardian.

709 ARTICLE VI

710 ELIGIBILITY

711 A. Eligibility for enrollment

712 1. Special power of attorney, relative to the guardianship of a child of
713 a military family and executed under applicable law shall be sufficient
714 for the purposes of enrollment and all other actions requiring parental
715 participation and consent.

716 2. A local education agency shall be prohibited from charging local
717 tuition to a transitioning military child placed in the care of a
718 noncustodial parent or other person standing in loco parentis who lives
719 in a jurisdiction other than that of the custodial parent.

720 3. A transitioning military child, placed in the care of a noncustodial
721 parent or other person standing in loco parentis who lives in a
722 jurisdiction other than that of the custodial parent, may continue to
723 attend the school in which he was enrolled while residing with the

724 custodial parent.

725 B. State and local education agencies shall facilitate the opportunity
726 for transitioning military children's inclusion in extracurricular
727 activities, regardless of application deadlines, to the extent they are
728 otherwise qualified.

729 ARTICLE VII

730 GRADUATION

731 In order to facilitate the on-time graduation of children of military
732 families states and local education agencies shall incorporate the
733 following procedures:

734 A. Local education agency administrative officials shall waive
735 specific courses required for graduation if similar course work has been
736 satisfactorily completed in another local education agency or shall
737 provide reasonable justification for denial. Should a waiver not be
738 granted to a student who would qualify to graduate from the sending
739 school, the local education agency shall provide an alternative means of
740 acquiring required coursework so that graduation may occur on time.

741 B. States shall accept: (1) Exit or end-of-course exams required for
742 graduation from the sending state; or (2) national norm-referenced
743 achievement tests; or (3) alternative testing, in lieu of testing
744 requirements for graduation in the receiving state. In the event the
745 above alternatives cannot be accommodated by the receiving state for a
746 student transferring in his senior year, then the provisions of Article VII,
747 Section C shall apply.

748 C. Should a military student transferring at the beginning or during
749 his or her senior year be ineligible to graduate from the receiving local
750 education agency after all alternatives have been considered, the
751 sending and receiving local education agencies shall ensure the receipt
752 of a diploma from the sending local education agency, if the student
753 meets the graduation requirements of the sending local education

754 agency. In the event that one of the states in question is not a member of
755 this compact, the member state shall use best efforts to facilitate the on-
756 time graduation of the student in accordance with Sections A and B of
757 this Article.

758 ARTICLE VIII

759 STATE COORDINATION

760 A. Each member state shall, through the creation of a State Council or
761 use of an existing body or board, provide for the coordination among its
762 agencies of government, local education agencies and military
763 installations concerning the state's participation in, and compliance
764 with, this compact and Interstate Commission activities. While each
765 member state may determine the membership of its own State Council,
766 its membership must include at least: The state superintendent of
767 education, superintendent of a school district with a high concentration
768 of military children, representative from a military installation, one
769 representative each from the legislative and executive branches of
770 government, and other offices and stakeholder groups the State Council
771 deems appropriate. A member state that does not have a school district
772 deemed to contain a high concentration of military children may
773 appoint a superintendent from another school district to represent local
774 education agencies on the State Council.

775 B. The State Council of each member state shall appoint or designate
776 a military family education liaison to assist military families and the
777 state in facilitating the implementation of this compact.

778 C. The compact commissioner responsible for the administration and
779 management of the state's participation in the compact shall be
780 appointed by the Governor or as otherwise determined by each member
781 state.

782 D. The compact commissioner and the military family education
783 liaison designated herein shall be ex-officio members of the State
784 Council, unless either is already a full voting member of the State

785 Council.

786 ARTICLE IX

787 INTERSTATE COMMISSION ON EDUCATIONAL OPPORTUNITY

788 FOR MILITARY CHILDREN

789 The member states hereby create the "Interstate Commission on
790 Educational Opportunity for Military Children". The activities of the
791 Interstate Commission are the formation of public policy and are a
792 discretionary state function. The Interstate Commission shall:

793 A. Be a body corporate and joint agency of the member states and
794 shall have all the responsibilities, powers and duties set forth herein,
795 and such additional powers as may be conferred upon it by a
796 subsequent concurrent action of the respective legislatures of the
797 member states in accordance with the terms of this compact.

798 B. Consist of one Interstate Commission voting representative from
799 each member state who shall be that state's compact commissioner.

800 1. Each member state represented at a meeting of the Interstate
801 Commission is entitled to one vote.

802 2. A majority of the total member states shall constitute a quorum for
803 the transaction of business, unless a larger quorum is required by the
804 bylaws of the Interstate Commission.

805 3. A representative shall not delegate a vote to another member state.
806 In the event the compact commissioner is unable to attend a meeting of
807 the Interstate Commission, the Governor or State Council may delegate
808 voting authority to another person from their state for a specified
809 meeting.

810 4. The bylaws may provide for meetings of the Interstate Commission
811 to be conducted by telecommunication or electronic communication.

812 C. Consist of ex-officio, nonvoting representatives who are members

813 of interested organizations. Such ex-officio members, as defined in the
814 bylaws, may include, but not be limited to, members of the
815 representative organizations of military family advocates, local
816 education agency officials, parent and teacher groups, the U.S.
817 Department of Defense, the Education Commission of the States, the
818 Interstate Agreement on the Qualification of Educational Personnel and
819 other interstate compacts affecting the education of children of military
820 members.

821 D. Meet at least once each calendar year. The chairperson may call
822 additional meetings and, upon the request of a simple majority of the
823 member states, shall call additional meetings.

824 E. Establish an executive committee, whose members shall include
825 the officers of the Interstate Commission and such other members of the
826 Interstate Commission as determined by the bylaws. Members of the
827 executive committee shall serve a one-year term. Members of the
828 executive committee shall be entitled to one vote each. The executive
829 committee shall have the power to act on behalf of the Interstate
830 Commission, with the exception of rulemaking, during periods when
831 the Interstate Commission is not in session. The executive committee
832 shall oversee the day-to-day activities of the administration of the
833 compact including enforcement and compliance with the provisions of
834 the compact, its bylaws and rules, and other such duties as deemed
835 necessary. The U.S. Dept. of Defense, shall serve as an ex-officio,
836 nonvoting member of the executive committee.

837 F. Establish bylaws and rules that provide for conditions and
838 procedures under which the Interstate Commission shall make its
839 information and official records available to the public for inspection or
840 copying. The Interstate Commission may exempt from disclosure
841 information or official records to the extent they would adversely affect
842 personal privacy rights or proprietary interests.

843 G. Give public notice of all meetings and all meetings shall be open
844 to the public, except as set forth in the rules or as otherwise provided in

845 the compact. The Interstate Commission and its committees may close a
846 meeting, or portion thereof, where it determines by two-thirds vote that
847 an open meeting would be likely to:

848 1. Relate solely to the Interstate Commission's internal personnel
849 practices and procedures;

850 2. Disclose matters specifically exempted from disclosure by federal
851 and state statute;

852 3. Disclose trade secrets or commercial or financial information which
853 is privileged or confidential;

854 4. Involve accusing a person of a crime, or formally censuring a
855 person;

856 5. Disclose information of a personal nature where disclosure would
857 constitute a clearly unwarranted invasion of personal privacy;

858 6. Disclose investigative records compiled for law enforcement
859 purposes; or

860 7. Specifically relate to the Interstate Commission's participation in a
861 civil action or other legal proceeding.

862 H. Cause its legal counsel or designee to certify that a meeting may
863 be closed and shall reference each relevant exemptible provision for any
864 meeting, or portion of a meeting, which is closed pursuant to this
865 provision. The Interstate Commission shall keep minutes which shall
866 fully and clearly describe all matters discussed in a meeting and shall
867 provide a full and accurate summary of actions taken, and the reasons
868 therefor, including a description of the views expressed and the record
869 of a roll call vote. All documents considered in connection with an action
870 shall be identified in such minutes. All minutes and documents of a
871 closed meeting shall remain under seal, subject to release by a majority
872 vote of the Interstate Commission.

873 I. Collect standardized data concerning the educational transition of

874 the children of military families under this compact as directed through
875 its rules which shall specify the data to be collected, the means of
876 collection and data exchange and reporting requirements. Such
877 methods of data collection, exchange and reporting shall, insofar as is
878 reasonably possible, conform to current technology and coordinate its
879 information functions with the appropriate custodian of records as
880 identified in the bylaws and rules.

881 J. Create a process that permits military officials, education officials
882 and parents to inform the Interstate Commission if and when there are
883 alleged violations of the compact or its rules or when issues subject to
884 the jurisdiction of the compact or its rules are not addressed by the state
885 or local education agency. This section shall not be construed to create a
886 private right of action against the Interstate Commission or any member
887 state.

888 ARTICLE X

889 POWERS AND DUTIES OF THE INTERSTATE COMMISSION

890 The Interstate Commission shall have the following powers:

891 A. To provide for dispute resolution among member states.

892 B. To promulgate rules and take all necessary actions to effect the
893 goals, purposes and obligations as enumerated in this compact. The
894 rules shall have the force and effect of statutory law and shall be binding
895 in the compact states to the extent and in the manner provided in this
896 compact.

897 C. To issue, upon request of a member state, advisory opinions
898 concerning the meaning or interpretation of the interstate compact, its
899 bylaws, rules and actions.

900 D. To enforce compliance with the compact provisions, the rules
901 promulgated by the Interstate Commission, and the bylaws, using all
902 necessary and proper means, including but not limited to the use of
903 judicial process.

904 E. To establish and maintain offices which shall be located within one
905 or more of the member states.

906 F. To purchase and maintain insurance and bonds.

907 G. To borrow, accept, hire or contract for services of personnel.

908 H. To establish and appoint committees including, but not limited to,
909 an executive committee as required by Article IX, Section E, which shall
910 have the power to act on behalf of the Interstate Commission in carrying
911 out its powers and duties hereunder.

912 I. To elect or appoint such officers, attorneys, employees, agents, or
913 consultants, and to fix their compensation, define their duties and
914 determine their qualifications; and to establish the Interstate
915 Commission's personnel policies and programs relating to conflicts of
916 interest, rates of compensation, and qualifications of personnel.

917 J. To accept any and all donations and grants of money, equipment,
918 supplies, materials, and services, and to receive, utilize, and dispose of
919 it.

920 K. To lease, purchase, accept contributions or donations of, or
921 otherwise to own, hold, improve or use any property, real, personal or
922 mixed.

923 L. To sell, convey, mortgage, pledge, lease, exchange, abandon, or
924 otherwise dispose of any property, real, personal or mixed.

925 M. To establish a budget and make expenditures.

926 N. To adopt a seal and bylaws governing the management and
927 operation of the Interstate Commission.

928 O. To report annually to the legislatures, governors, judiciary, and
929 state councils of the member states concerning the activities of the
930 Interstate Commission during the preceding year. Such reports shall
931 also include any recommendations that may have been adopted by the

932 Interstate Commission.

933 P. To coordinate education, training and public awareness regarding
934 the compact, its implementation and operation for officials and parents
935 involved in such activity.

936 Q. To establish uniform standards for the reporting, collecting and
937 exchanging of data.

938 R. To maintain corporate books and records in accordance with the
939 bylaws.

940 S. To perform such functions as may be necessary or appropriate to
941 achieve the purposes of this compact.

942 T. To provide for the uniform collection and sharing of information
943 between and among member states, schools and military families under
944 this compact.

945 ARTICLE XI

946 ORGANIZATION AND OPERATION OF THE INTERSTATE
947 COMMISSION

948 A. The Interstate Commission shall, by a majority of the members
949 present and voting, within twelve months after the first Interstate
950 Commission meeting, adopt bylaws to govern its conduct as may be
951 necessary or appropriate to carry out the purposes of the compact,
952 including, but not limited to:

953 1. Establishing the fiscal year of the Interstate Commission;

954 2. Establishing an executive committee, and such other committees as
955 may be necessary;

956 3. Providing for the establishment of committees and for governing
957 any general or specific delegation of authority or function of the
958 Interstate Commission;

959 4. Providing reasonable procedures for calling and conducting
960 meetings of the Interstate Commission, and ensuring reasonable notice
961 of each such meeting;

962 5. Establishing the titles and responsibilities of the officers and staff
963 of the Interstate Commission;

964 6. Providing a mechanism for concluding the operations of the
965 Interstate Commission and the return of surplus funds that may exist
966 upon the termination of the compact after the payment and reserving of
967 all of its debts and obligations;

968 7. Providing start-up rules for initial administration of the compact.

969 B. The Interstate Commission shall, by a majority of the members,
970 elect annually from among its members a chairperson, a vice-
971 chairperson, and a treasurer, each of whom shall have such authority
972 and duties as may be specified in the bylaws. The chairperson or, in the
973 chairperson's absence or disability, the vice-chairperson, shall preside at
974 all meetings of the Interstate Commission. The officers so elected shall
975 serve without compensation or remuneration from the Interstate
976 Commission provided that, subject to the availability of budgeted
977 funds, the officers shall be reimbursed for ordinary and necessary costs
978 and expenses incurred by them in the performance of their
979 responsibilities as officers of the Interstate Commission.

980 C. Executive Committee, Officers and Personnel

981 1. The executive committee shall have such authority and duties as
982 may be set forth in the bylaws, including, but not limited to:

983 a. Managing the affairs of the Interstate Commission in a manner
984 consistent with the bylaws and purposes of the Interstate Commission;

985 b. Overseeing an organizational structure within, and appropriate
986 procedures for the Interstate Commission to provide for the creation of
987 rules, operating procedures, and administrative and technical support
988 functions; and

989 c. Planning, implementing, and coordinating communications and
990 activities with other state, federal and local government organizations
991 in order to advance the goals of the Interstate Commission.

992 2. The executive committee may, subject to the approval of the
993 Interstate Commission, appoint or retain an executive director for such
994 period, upon such terms and conditions and for such compensation, as
995 the Interstate Commission may deem appropriate. The executive
996 director shall serve as secretary to the Interstate Commission, but shall
997 not be a member of the Interstate Commission. The executive director
998 shall hire and supervise such other persons as may be authorized by the
999 Interstate Commission.

1000 D. The Interstate Commission's executive director and its employees
1001 shall be immune from suit and liability, either personally or in their
1002 official capacity, for a claim for damage to or loss of property or personal
1003 injury or other civil liability caused or arising out of or relating to an
1004 actual or alleged act, error, or omission that occurred, or that such
1005 person had a reasonable basis for believing occurred, within the scope
1006 of Interstate Commission employment, duties, or responsibilities
1007 provided, such person shall not be protected from suit or liability for
1008 damage, loss, injury, or liability caused by the intentional or willful and
1009 wanton misconduct of such person.

1010 1. The liability of the Interstate Commission's executive director and
1011 employees or Interstate Commission representatives, acting within the
1012 scope of such person's employment or duties for acts, errors, or
1013 omissions occurring within such person's state may not exceed the
1014 limits of liability set forth under the Constitution and laws of that state
1015 for state officials, employees, and agents. The Interstate Commission is
1016 considered to be an instrumentality of the states for the purposes of any
1017 such action. Nothing in this subsection shall be construed to protect
1018 such person from suit or liability for damage, loss, injury, or liability
1019 caused by the intentional or willful and wanton misconduct of such
1020 person.

1021 2. The Interstate Commission shall defend the executive director and
1022 its employees and, subject to the approval of the Attorney General or
1023 other appropriate legal counsel of the member state represented by an
1024 Interstate Commission representative, shall defend such Interstate
1025 Commission representative in any civil action seeking to impose
1026 liability arising out of an actual or alleged act, error or omission that
1027 occurred within the scope of Interstate Commission employment, duties
1028 or responsibilities, or that the defendant had a reasonable basis for
1029 believing occurred within the scope of Interstate Commission
1030 employment, duties, or responsibilities, provided that the actual or
1031 alleged act, error, or omission did not result from intentional or willful
1032 and wanton misconduct on the part of such person.

1033 3. To the extent not covered by the state involved, member state, or
1034 the Interstate Commission, the representatives or employees of the
1035 Interstate Commission shall be held harmless in the amount of a
1036 settlement or judgment, including attorney's fees and costs, obtained
1037 against such persons arising out of an actual or alleged act, error, or
1038 omission that occurred within the scope of Interstate Commission
1039 employment, duties, or responsibilities, or that such persons had a
1040 reasonable basis for believing occurred within the scope of Interstate
1041 Commission employment, duties, or responsibilities, provided that the
1042 actual or alleged act, error, or omission did not result from intentional
1043 or willful and wanton misconduct on the part of such persons.

1044 ARTICLE XII

1045 RULEMAKING FUNCTIONS OF THE INTERSTATE COMMISSION

1046 A. The Interstate Commission shall promulgate reasonable rules in
1047 order to effectively and efficiently achieve the purposes of this compact.
1048 Notwithstanding the foregoing, in the event the Interstate Commission
1049 exercises its rulemaking authority in a manner that is beyond the scope
1050 of the purposes of this compact, or the powers granted hereunder, then
1051 such an action by the Interstate Commission shall be invalid and have
1052 no force or effect.

1053 B. Rules shall be made pursuant to a rulemaking process that
1054 substantially conforms to the "Model State Administrative Procedure
1055 Act," of 1981 Act, Uniform Laws Annotated, Vol. 15, p.1 (2000) as
1056 amended, as may be appropriate to the operations of the Interstate
1057 Commission.

1058 C. Not later than thirty days after a rule is promulgated, any person
1059 may file a petition for judicial review of the rule provided, the filing of
1060 such a petition shall not stay or otherwise prevent the rule from
1061 becoming effective unless the court finds that the petitioner has a
1062 substantial likelihood of success. The court shall give deference to the
1063 actions of the Interstate Commission consistent with applicable law and
1064 shall not find the rule to be unlawful if the rule represents a reasonable
1065 exercise of the Interstate Commission's authority.

1066 D. If a majority of the legislatures of the compacting states rejects a
1067 rule by enactment of a statute or resolution in the same manner used to
1068 adopt the compact, then such rule shall have no further force and effect
1069 in any compacting state.

1070 ARTICLE XIII

1071 OVERSIGHT, ENFORCEMENT, AND DISPUTE RESOLUTION

1072 A. Oversight

1073 1. The executive, legislative and judicial branches of state government
1074 in each member state shall enforce this compact and shall take all actions
1075 necessary and appropriate to effectuate the compact's purposes and
1076 intent. The provisions of this compact and the rules promulgated
1077 hereunder shall have standing as statutory law.

1078 2. All courts shall take judicial notice of the compact and the rules in
1079 any judicial or administrative proceeding in a member state pertaining
1080 to the subject matter of this compact which may affect the powers,
1081 responsibilities or actions of the Interstate Commission.

1082 3. The Interstate Commission shall be entitled to receive all service of

1083 process in any such proceeding, and shall have standing to intervene in
1084 the proceeding for all purposes. Failure to provide service of process to
1085 the Interstate Commission shall render a judgment or order void as to
1086 the Interstate Commission, this compact or promulgated rules.

1087 B. If the Interstate Commission determines that a member state has
1088 defaulted in the performance of its obligations or responsibilities under
1089 this compact, or the bylaws or promulgated rules, the Interstate
1090 Commission shall:

1091 1. Provide written notice to the defaulting state and other member
1092 states of the nature of the default, the means of curing the default and
1093 any action taken by the Interstate Commission. The Interstate
1094 Commission shall specify the conditions by which the defaulting state
1095 must cure its default.

1096 2. Provide remedial training and specific technical assistance
1097 regarding the default.

1098 3. If the defaulting state fails to cure the default, the defaulting state
1099 shall be terminated from the compact upon an affirmative vote of a
1100 majority of the member states and all rights, privileges and benefits
1101 conferred by this compact shall be terminated from the effective date of
1102 termination. A cure of the default does not relieve the offending state of
1103 obligations or liabilities incurred during the period of the default.

1104 4. Suspension or termination of membership in the compact shall be
1105 imposed only after all other means of securing compliance have been
1106 exhausted. Notice of intent to suspend or terminate shall be given by the
1107 Interstate Commission to the Governor, the majority and minority
1108 leaders of the defaulting state's legislature, and each of the member
1109 states.

1110 5. The state which has been suspended or terminated is responsible
1111 for all assessments, obligations and liabilities incurred through the
1112 effective date of suspension or termination including obligations, the
1113 performance of which extends beyond the effective date of suspension

1114 or termination.

1115 6. The Interstate Commission shall not bear any costs relating to any
1116 state that has been found to be in default or which has been suspended
1117 or terminated from the compact, unless otherwise mutually agreed
1118 upon in writing between the Interstate Commission and the defaulting
1119 state.

1120 7. The defaulting state may appeal the action of the Interstate
1121 Commission by petitioning the U.S. District Court for the District of
1122 Columbia or the federal district where the Interstate Commission has its
1123 principal offices. The prevailing party shall be awarded all costs of such
1124 litigation including reasonable attorney's fees.

1125 C. Dispute Resolution

1126 1. The Interstate Commission shall attempt, upon the request of a
1127 member state, to resolve disputes which are subject to the compact and
1128 which may arise among member states and between member and
1129 nonmember states.

1130 2. The Interstate Commission shall promulgate a rule providing for
1131 both mediation and binding dispute resolution for disputes as
1132 appropriate.

1133 D. Enforcement

1134 1. The Interstate Commission, in the reasonable exercise of its
1135 discretion, shall enforce the provisions and rules of this compact.

1136 2. The Interstate Commission may, by majority vote of the members,
1137 initiate legal action in the United States District Court for the District of
1138 Columbia or, at the discretion of the Interstate Commission, in the
1139 federal district where the Interstate Commission has its principal offices,
1140 to enforce compliance with the provisions of the compact, its
1141 promulgated rules and bylaws, against a member state in default. The
1142 relief sought may include both injunctive relief and damages. In the
1143 event judicial enforcement is necessary the prevailing party shall be

1144 awarded all costs of such litigation including reasonable attorney's fees.

1145 3. The remedies herein shall not be the exclusive remedies of the
1146 Interstate Commission. The Interstate Commission may avail itself of
1147 any other remedies available under state law or the regulation of a
1148 profession.

1149 ARTICLE XIV

1150 FINANCING OF THE INTERSTATE COMMISSION

1151 A. The Interstate Commission shall pay, or provide for the payment
1152 of, the reasonable expenses of its establishment, organization and
1153 ongoing activities.

1154 B. The Interstate Commission may levy on and collect an annual
1155 assessment from each member state to cover the cost of the operations
1156 and activities of the Interstate Commission and its staff which must be
1157 in a total amount sufficient to cover the Interstate Commission's annual
1158 budget as approved each year. The aggregate annual assessment
1159 amount shall be allocated based upon a formula to be determined by the
1160 Interstate Commission, which shall promulgate a rule binding upon all
1161 member states.

1162 C. The Interstate Commission shall not incur obligations of any kind
1163 prior to securing the funds adequate to meet the same; nor shall the
1164 Interstate Commission pledge the credit of any of the member states,
1165 except by and with the authority of the member state.

1166 D. The Interstate Commission shall keep accurate accounts of all
1167 receipts and disbursements. The receipts and disbursements of the
1168 Interstate Commission shall be subject to the audit and accounting
1169 procedures established under its bylaws. However, all receipts and
1170 disbursements of funds handled by the Interstate Commission shall be
1171 audited yearly by a certified or licensed public accountant and the
1172 report of the audit shall be included in and become part of the annual
1173 report of the Interstate Commission.

1174 ARTICLE XV

1175 MEMBER STATES, EFFECTIVE DATE AND AMENDMENT

1176 A. Any state is eligible to become a member state.

1177 B. The compact shall become effective and binding upon legislative
1178 enactment of the compact into law by no less than ten of the states. The
1179 effective date shall be no earlier than December 1, 2007. Thereafter it
1180 shall become effective and binding as to any other member state upon
1181 enactment of the compact into law by that state. The governors of
1182 nonmember states or their designees shall be invited to participate in
1183 the activities of the Interstate Commission on a nonvoting basis prior to
1184 adoption of the compact by all states.

1185 C. The Interstate Commission may propose amendments to the
1186 compact for enactment by the member states. No amendment shall
1187 become effective and binding upon the Interstate Commission and the
1188 member states unless and until it is enacted into law by unanimous
1189 consent of the member states.

1190 ARTICLE XVI

1191 WITHDRAWAL AND DISSOLUTION

1192 A. Withdrawal

1193 1. Once effective, the compact shall continue in force and remain
1194 binding upon each and every member state provided a member state
1195 may withdraw from the compact by specifically repealing the statute,
1196 which enacted the compact into law.

1197 2. Withdrawal from this compact shall be by the enactment of a
1198 statute repealing the same, but shall not take effect until one year after
1199 the effective date of such statute and until written notice of the
1200 withdrawal has been given by the withdrawing state to the Governor of
1201 each other member jurisdiction.

1202 3. The withdrawing state shall immediately notify the chairperson of
1203 the Interstate Commission in writing upon the introduction of
1204 legislation repealing this compact in the withdrawing state. The
1205 Interstate Commission shall notify the other member states of the
1206 withdrawing state's intent to withdraw within sixty days of its receipt
1207 thereof.

1208 4. The withdrawing state is responsible for all assessments,
1209 obligations and liabilities incurred through the effective date of
1210 withdrawal, including obligations, the performance of which extend
1211 beyond the effective date of withdrawal.

1212 5. Reinstatement following withdrawal of a member state shall occur
1213 upon the withdrawing state reenacting the compact or upon such later
1214 date as determined by the Interstate Commission.

1215 B. Dissolution of Compact

1216 1. This compact shall dissolve effective upon the date of the
1217 withdrawal or default of the member state which reduces the
1218 membership in the compact to one member state.

1219 2. Upon the dissolution of this compact, the compact becomes null
1220 and void and shall be of no further force or effect, and the business and
1221 affairs of the Interstate Commission shall be concluded and surplus
1222 funds shall be distributed in accordance with the bylaws.

1223 ARTICLE XVII

1224 SEVERABILITY AND CONSTRUCTION

1225 A. The provisions of this compact shall be severable, and if any
1226 phrase, clause, sentence or provision is deemed unenforceable, the
1227 remaining provisions of the compact shall be enforceable.

1228 B. The provisions of this compact shall be liberally construed to
1229 effectuate its purposes.

1230 C. Nothing in this compact shall be construed to prohibit the
 1231 applicability of other interstate compacts to which the states are
 1232 members.

1233 ARTICLE XVIII

1234 BINDING EFFECT OF COMPACT AND OTHER LAWS

1235 A. Other Laws

1236 1. Nothing herein prevents the enforcement of any other law of a
 1237 member state that is not inconsistent with this compact.

1238 2. All member states' laws conflicting with this compact are
 1239 superseded to the extent of the conflict.

1240 B. Binding Effect of the Compact

1241 1. All lawful actions of the Interstate Commission, including all rules
 1242 and bylaws promulgated by the Interstate Commission, are binding
 1243 upon the member states.

1244 2. All agreements between the Interstate Commission and the
 1245 member states are binding in accordance with their terms.

1246 3. In the event any provision of this compact exceeds the
 1247 constitutional limits imposed on the legislature of any member state,
 1248 such provision shall be ineffective to the extent of the conflict with the
 1249 constitutional provision in question in that member state.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2023</i>	10-262u(a) to (c)
Sec. 2	<i>July 1, 2023</i>	10-262h(j) to (l)
Sec. 3	<i>July 1, 2023</i>	10-151b
Sec. 4	<i>July 1, 2023</i>	10-264l(a) and (b)
Sec. 5	<i>July 1, 2023</i>	10-264l(c)(3)(C)
Sec. 6	<i>July 1, 2023</i>	10-264l(o)
Sec. 7	<i>July 1, 2023</i>	10-264r

Sec. 8	<i>July 1, 2023</i>	10-262s
Sec. 9	<i>July 1, 2023</i>	10-15f

Statement of Purpose:

To implement the recommendations of the Department of Education.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]