

Pullman & Comley's 2016-17 Superintendents' Legal Issues Forum - Session One Recap

Education Law Notes

09.21.2016

Pullman & Comley's 2016-17 Superintendents' Legal Issues Forum got off to a great start with a thought provoking presentation by Mark Sommaruga and Zach Schurin regarding a summary of 2016 Connecticut legislative enactments affecting public schools. The three Public Acts that received the most attention were: (1) Public Act 16-67 regarding employee background checks; (2) Public Act 16-189 concerning student data privacy - one superintendent shared a link to the SDE Data Privacy page and to a presentation he attended regarding this Public Act which was sent to the Forum members after the meeting; and (3) Public Act 16-147 concerning student discipline/truancy, in particular, the requirement, starting in August 2017, to provide five hours per day of instructional services to students who have been expelled. Melinda Kaufmann had recently written a blog article on this topic, which we will address more deeply at our next Forum in November.

As usual, insightful questions from the group revealed many nuances and, perhaps, overlooked consequences. For example, if parents now have the right to at least five business days' notice before an expulsion hearing, and the express right to postpone the hearing for up to one week, what happens if the maximum ten days of suspension has been reached before the expulsion hearing has been held? A number of issues came up related to the employee background check or the "don't pass the trash" legislation, particularly in regard to employment of contractors. Mark and Zach shared suggested policy revisions and other action items for school districts to consider in response to these significant new pieces of legislation.

Moving to our second agenda item, the group reviewed an analysis of the salary and insurance settlements and awards achieved during the 2015-16 negotiation season involving teachers and administrators, and discussed best practices for negotiations this year.

Our third and final agenda item, the recent [CCJEF](#) decision, resulted in a roundtable discussion so enthralling that many stayed a half an hour past our usual end time. While we were in discussion, an e-mail was received informing everyone that the Attorney General had decided to appeal the case. One superintendent who had previously worked as a superintendent in Massachusetts shared some of the experiences he recalled from a time when our neighbor to the north went through significant and widespread educational reform. This case will, undoubtedly dominate the landscape of all discussions concerning Connecticut public education for the remainder of the year, and for some time to come.

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Our next session will be on November 10, 2016, in our Hartford office. For more information, please contact William Connon at wconnon@pullcom.com.

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