



General Assembly

February Session, 2000

Raised Bill No. 5737

LCO No. 1999

Referred to Committee on Education

Introduced by:
(ED)

An Act Concerning Underperforming Schools And School Readiness.

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

1 Section 1. Subsection (a) of section 2 of public act 99-288 is repealed
2 and the following is substituted in lieu thereof:

3 (a) On or before October 1, 1999, and biennially thereafter, the State
4 Board of Education shall prepare a list of elementary and middle
5 schools, by school district, that are in need of improvement based on
6 student performance [and performance trends] over a three-year
7 period on the state-wide mastery examinations pursuant to section 10-
8 14n. The Department of Education shall notify each local and regional
9 board of education of the schools in its district that are on the list and,
10 if more than one school in a school district is on the list, the
11 department shall advise the local or regional board of education on
12 which of such schools are most in need of improvement.

13 Sec. 2. Subsection (d) of section 2 of public act 99-288 is repealed and
14 the following is substitute in lieu thereof:

15 (d) The local or regional board of education shall monitor progress
16 made by the school under the improvement plan. If two years after the
17 date of approval of the improvement plan, the board of education
18 finds, based on the standards established pursuant to section 3 of this
19 act, that the school has not made sufficient progress, the board of
20 education shall develop a plan for such school that requires the board
21 to take one or more of the following actions in order to improve
22 student achievement: (1) Close and reconstitute the school, (2)
23 restructure the school in terms of the grades included or the programs
24 offered, or both, (3) provide for site-based management of the school,
25 and (4) allow students in the attendance area of the school to attend
26 other public schools in the school district. The local or regional board
27 of education may include in such plan a provision for the transfer of
28 employees in conjunction with any such action. The local or regional
29 board of education shall submit its plan to the commissioner for
30 approval and, upon such approval, shall implement the plan.

31 Sec. 3. (NEW) (a) The Department of Education shall establish
32 standards for local and regional boards of education to use to
33 determine whether a school on the list pursuant to section 2 of public
34 act 99-288, as amended by this act, has improved. The standards shall
35 include, but need not be limited to: (1) Student performance on the
36 state-wide mastery examinations pursuant to section 10-14n of the
37 general statutes, (2) attendance rates, (3) retention rates, (4) drop out
38 rates, and (5) expulsion and suspension rates.

39 (b) For purposes of subdivision (1) of subsection (a) of this section,
40 the Department of Education shall develop an identifier system to
41 track individual performance on state-wide mastery examinations.

42 Sec. 4. (NEW) (a) For the fiscal year ending June 30, 2001, and each
43 fiscal year thereafter, the Commissioner of Education shall provide
44 grants, within available appropriations, to local and regional boards of
45 education that have one or more schools in need of improvement on
46 the most recent list prepared pursuant to section 2 of public act 99-288,

47 as amended by this act. Eligible boards of education shall use grant
48 funds for costs related to the implementation of improvement plans for
49 such schools and actions necessary for such schools to become
50 accredited by the New England Association of Schools and Colleges.
51 An eligible board of education shall submit a plan for the expenditure
52 of grant funds, in accordance with subsection (b) of this section, to the
53 Department of Education, at such time and in such manner as the
54 commissioner prescribes.

55 (b) The plan for the expenditure of grant funds shall be approved by
56 the department and shall include: (1) School-based programs
57 designated pursuant to section 5 of this act, that address the specific
58 areas in which students attending the school were deficient on the
59 state-wide mastery examinations pursuant to section 10-14n of the
60 general statutes, as amended, (2) after-school programs, and (3)
61 professional development programs for teachers at the school.

62 (c) Each board of education receiving a grant pursuant to this
63 section shall set aside an amount equal to five per cent of the grant for
64 merit bonuses, of up to one thousand dollars each, for teachers who
65 the board determines have made a significant contribution toward
66 improving student performance at the school on the list.

67 (d) The Department of Education may retain up to one per cent of
68 the amount appropriated for purposes of this section for coordination,
69 program evaluation and administration.

70 (e) No funds received pursuant to this section shall be used to
71 supplant federal, state or local funding to the local or regional board of
72 education for such schools.

73 (f) Expenditure reports shall be filed with the Department of
74 Education as requested by the commissioner. School districts shall

75 refund (1) any unexpended amounts at the close of the program for
76 which the grant was awarded, and (2) any amounts not expended in
77 accordance with the approved grant application.

78 Sec. 5. (NEW) (a) The Department of Education shall designate a
79 series of programs that have a demonstrated record of success in
80 improving student performance in such areas as reading, mathematics
81 and writing. The department shall make information on such
82 programs available to local and regional boards of education to assist
83 them in establishing programs to address deficiencies in schools on the
84 list prepared pursuant to section 2 of public act 99-288, as amended by
85 this act.

86 (b) The Commissioner of Education shall report, annually, in
87 accordance with section 11-4a of the general statutes, to the joint
88 standing committee of the General Assembly having cognizance of
89 matters relating to education on the implementation of improvement
90 plans and student achievement at schools on the list prepared
91 pursuant to section 2 of public act 99-288, as amended by this act.

92 Sec. 6. (NEW) (a) For the fiscal year ending June 30, 2001, and each
93 fiscal year thereafter, the Commissioner of Education shall provide
94 grants, within available appropriations, to public libraries located in
95 school districts that have one or more schools in need of improvement
96 on the most recent list prepared pursuant to section 2 of public act 99-
97 288, as amended by this act. The public libraries shall use grant funds
98 to establish partnership programs with schools on the list. Such
99 programs shall be designed to improve family literacy and parent
100 involvement. Eligible libraries shall apply to the Department of
101 Education for such grants at such time and in such manner as the
102 commissioner prescribes.

103 (b) The Department of Education may retain up to one per cent of
104 the amount appropriated for purposes of this section for coordination,

105 program evaluation and administration.

106 (c) Expenditure reports shall be filed with the department as
107 requested by the commissioner. Public libraries shall refund (1) any
108 unexpended amounts at the close of the program for which the grant
109 was awarded, and (2) any amounts not expended in accordance with
110 the approved grant application.

111 Sec. 7. Section 4 of public act 99-288 is repealed and the following is
112 substituted in lieu thereof:

113 (a) For the fiscal year ending June 30, 2001, and each fiscal year
114 thereafter, the Commissioner of Education shall award grants, within
115 available appropriations, to local and regional boards of education for
116 priority school districts pursuant to section 10-266p, as amended, for
117 summer school programs required pursuant to section 3 of [this act]
118 public act 99-288, and week-end school programs. Eligibility for grants
119 pursuant to this section shall be determined for a five-year period
120 based on a school district's designation as a priority school district for
121 the initial year of application.

122 (b) In order to receive a grant, an eligible board of education shall
123 submit a plan for the expenditure of grant funds to the Department of
124 Education, at such time and in such manner as the commissioner
125 prescribes. The plan shall include: (1) Criteria for student participation
126 in the program, including provision for priority to students who are
127 determined to be substantially deficient in reading, (2) criteria for
128 teacher selection and curriculum, (3) a system for reporting, by school
129 and grade, on the number of students who attend and successfully
130 complete summer school and for tracking the performance of such
131 students during the school year, (4) a provision for parent involvement
132 and strategies for parents to use at home to improve their children's
133 reading skills, (5) a transition and implementation plan for reading
134 curriculum and individual student needs assessment between summer
135 school and school year instruction, and (6) a component for
136 developmentally appropriate recreation and leisure activity blended

137 into the summer school curriculum. In deciding where to establish a
138 summer school program, eligible boards of education shall give
139 preference to elementary and middle schools with the highest number
140 of students who are substantially deficient in reading.

141 [(b)] (c) Each priority school district shall receive a grant based on
142 the ratio of the number of resident students, as defined in subdivision
143 (22) of section 10-262f, as amended, in the district to the total number
144 of resident students in all priority school districts.

145 [(c)] (d) No funds received pursuant to this section shall be used to
146 supplant federal, state or local funding to the local or regional board of
147 education for summer school or week-end school programs.

148 [(d)] (e) Expenditure reports shall be filed with the department as
149 requested by the commissioner. Local or regional boards of education
150 shall refund (1) any unexpended amounts at the close of the program
151 for which the grant is awarded, and (2) any amounts not expended in
152 accordance with an approved grant application.

153 Sec. 8. Section 10-16p of the general statutes, as amended by section
154 1 of public act 99-230, is repealed and the following is substituted in
155 lieu thereof:

156 (a) As used in sections 10-16o to 10-16r, inclusive, section 17b-749a
157 and section 17b-749c, as amended by this act:

158 (1) "School readiness program" means a nonsectarian program that
159 (A) meets the standards set by the department pursuant to subsection
160 (b) of this section and the requirements of section 10-16q, and (B)
161 provides a developmentally appropriate learning experience of not less
162 than four hundred fifty hours and one hundred eighty days for eligible
163 children, provided, for the fiscal years ending June 30, 1998, and June
164 30, 1999, the commissioner may approve programs that provide
165 learning experiences which are for less than said hours and days;

166 (2) "Eligible children" means children three and four years of age

167 and children five years of age who are not eligible to enroll in school
168 pursuant to section 10-15c, or who are eligible to enroll in school and
169 will attend a school readiness program pursuant to section 10-16t;

170 (3) "Priority school" means a school in which forty per cent or more
171 of the lunches served are served to students who are eligible for free or
172 reduced price lunches pursuant to federal law and regulations,
173 excluding such a school located in a priority school district pursuant to
174 section 10-266p;

175 (4) "Severe need school" means a school in a priority school district
176 pursuant to section 10-266p in which forty per cent or more of the
177 lunches served are served to students who are eligible for free or
178 reduced price lunches;

179 (5) "Accredited" means accredited by the National Association for
180 the Education of Young Children, a Head Start on-site program review
181 instrument or a successor instrument pursuant to federal regulations,
182 or otherwise meeting such criteria as may be established by the
183 commissioner, in consultation with the Commissioner of Social
184 Services;

185 (6) "Approved" means meeting the criteria established by the
186 commissioner, in consultation with the Commissioner of Social
187 Services;

188 (7) "Credentialed" means holding a National Administrator
189 Credential or otherwise meeting such criteria as may be established by
190 the commissioner, in consultation with the Commissioner of Social
191 Services;

192 [(7)] (8) "Year-round" means fifty weeks per year;

193 [(8)] (9) "Commissioner" means the Commissioner of Education; and

194 [(9)] (10) "Department" means the Department of Education.

195 (b) The Department of Education shall be the lead agency for school
196 readiness. School readiness program providers eligible for funding
197 from the Department of Education shall include local and regional
198 boards of education, regional educational service centers, family
199 resource centers and providers of child day care centers, as defined in
200 section 19a-77, Head Start programs, preschool programs and other
201 programs that meet such standards established by the Commissioner
202 of Education. The department shall establish standards for school
203 readiness programs. The standards may include, but need not be
204 limited to, guidelines for staff-child interactions, curriculum content,
205 lesson plans, parent involvement, staff qualifications, [and training]
206 including a minimum percentage requirement for staff in each
207 classroom to be credentialed or have twelve college credits or more in
208 early childhood education and that all staff receive at least fifteen
209 hours of in-service training annually, and administration, including a
210 requirement that the directors and administrators be credentialed. The
211 department shall develop age-appropriate developmental skills and
212 goals for children attending such programs. The commissioner, in
213 consultation with the Commissioners of Higher Education and Social
214 Services and other appropriate entities, shall develop a continuing
215 education training program for the staff of school readiness programs.

216 (c) The Commissioner of Education, in consultation with the
217 Commissioner of Social Services, shall establish a grant program to
218 provide spaces in accredited or approved school readiness programs
219 for eligible children who reside in priority school districts pursuant to
220 section 10-266p, as amended. Under the program, the grant shall be
221 provided, in accordance with this section, to the town in which such
222 priority school district is located. Eligibility shall be determined for a
223 five-year period based on an applicant's designation as a priority
224 school district for the initial year of application. Grant awards shall be
225 made annually contingent upon available funding and a satisfactory
226 annual evaluation. The chief elected official of such town and the
227 superintendent of schools for such priority school district shall submit
228 a plan for the expenditure of grant funds and responses to the local

229 request for proposal process to the Departments of Education and
230 Social Services. The departments shall jointly review such plans and
231 shall each approve the portion of such plan within its jurisdiction for
232 funding. The plan shall: (1) Be developed in consultation with the local
233 school readiness council established pursuant to section 10-16r, as
234 amended; (2) be based on a needs and resource assessment; (3) provide
235 for the issuance of requests for proposals for providers of accredited or
236 approved school readiness programs, provided, after the initial
237 requests for proposals, facilities which have been approved to operate
238 a child care program financed through the Connecticut Health and
239 Education Facilities Authority and [who] have received a commitment
240 for debt service from the Department of Social Services pursuant to
241 section 17b-749i, as amended, are exempt from the requirement for
242 issuance of annual requests for proposals; and (4) identify the need for
243 funding pursuant to section 17b-749a in order to extend the hours and
244 days of operation of school readiness programs in order to provide
245 child day care services for children attending such programs.

246 (d) The Commissioner of Education, in consultation with the
247 Commissioner of Social Services, shall establish a competitive grant
248 program to provide spaces in accredited or approved school readiness
249 programs for eligible children who reside in an area served by a
250 priority school. A town in which such a school is located or a regional
251 school readiness council, pursuant to subsection (c) of section 10-16r,
252 as amended, for a region in which such a school is located may apply
253 for such a grant in an amount not to exceed one hundred thousand
254 dollars per priority school. Eligibility shall be determined for a five-
255 year period based on an applicant's designation as having a priority
256 school for the initial year of application. Grant awards shall be made
257 annually contingent upon available funding and a satisfactory annual
258 evaluation. The chief elected official of such town and the
259 superintendent of schools of the school district or the regional school
260 readiness council shall submit a plan, as described in subsection (c) of
261 this section, for the expenditure of such grant funds to the Department
262 of Education. In awarding grants pursuant to this subsection, the

263 commissioner shall give preference to applications submitted by
264 regional school readiness councils and may, within available
265 appropriations, provide a larger grant to towns with two or more
266 severe need schools in such district. A town or regional school
267 readiness council awarded a grant pursuant to this subsection shall use
268 the funds to purchase spaces for such children from providers of
269 accredited or approved school readiness programs.

270 (e) (1) Ninety-three per cent of the amount appropriated for
271 purposes of this section shall be used for the grant program pursuant
272 to subsection (c) of this section. Priority school districts shall receive
273 grants based on their proportional share of the sum of the products
274 obtained by multiplying the average number of enrolled kindergarten
275 students in each priority school district for the [year] three years prior
276 to the year the grant is to be paid, by the ratio of the average
277 percentage of free and reduced price meals for all severe need schools
278 in such district to the minimum percentage requirement for severe
279 need school eligibility.

280 (2) Six and five-tenths per cent of the amount appropriated for
281 purposes of this section shall be used for the competitive grant
282 program pursuant to subsection (d) of this section.

283 (3) The Department of Education may retain up to five-tenths of one
284 per cent of the amount appropriated for purposes of this section for
285 coordination, program evaluation and administration.

286 (4) If a town that is eligible for a grant pursuant to subsection (c) of
287 this section does not submit, by January first, a plan which is
288 subsequently approved for the expenditure of the entire amount of
289 funds for which such town is eligible, the department may use up to
290 ten per cent of any amounts such town has not earmarked for
291 expenditure to provide supplemental grants to other towns that are
292 eligible for grants pursuant to subsection (c) of this section.

293 (f) Any school readiness program that receives funds pursuant to

294 this section shall not discriminate on the basis of race, color, national
295 origin, gender, religion or disability. For purposes of this section, a
296 nonsectarian program means any public or private school readiness
297 program that is not violative of the Establishment Clause of the
298 Constitution of the State of Connecticut or the Establishment Clause of
299 the Constitution of the United States of America.

300 (g) Subject to the provisions of this subsection, no funds received by
301 a town pursuant to subsection (c) or (d) of this section shall be used to
302 supplant federal, state or local funding received by such town for early
303 childhood education, provided (1) a town may use up to five per cent
304 but no more than fifty thousand dollars of the amount received
305 pursuant to subsection (c) or (d) of this section for coordination,
306 program evaluation and administration, and (2) if a town provides
307 twenty-five thousand dollars in local funding for early childhood
308 education coordination, program evaluation and administration, such
309 town may use up to ten per cent but no more than seventy-five
310 thousand dollars of such amount for coordination, program evaluation
311 and administration. Each town that receives a grant pursuant to said
312 subsection (c) or (d) shall designate a person to be responsible for such
313 coordination, program evaluation and administration and to act as a
314 liaison between the town and the Departments of Education and Social
315 Services. Each school readiness program that receives funds pursuant
316 to this section shall provide information to the department or the
317 school readiness council, as requested, that is necessary for purposes of
318 any school readiness program evaluation.

319 (h) For the fiscal years ending June 30, 1998, June 30, 1999, [and]
320 June 30, 2000, and June 30, 2001, grants pursuant to this section may be
321 used to prepare a facility or staff for operating a school readiness
322 program and shall be adjusted based on the number of days of
323 operation of a school readiness program if a shorter term of operation
324 is approved by the commissioner.

325 (i) A town may use grant funds to purchase spaces for eligible

326 children who reside in such town at an accredited or approved school
327 readiness program located in another town. A regional school
328 readiness council may use grant funds to purchase spaces for eligible
329 children who reside in the region covered by the council at an
330 accredited or approved school readiness program located outside such
331 region.

332 (j) Children enrolled in school readiness programs funded pursuant
333 to this section shall not be counted as resident students for purposes of
334 subdivision (22) of section 10-262f, as amended.

335 Sec. 9. Subsection (c) of section 17b-749 of the general statutes, as
336 amended by section 7 of public act 99-166 and section 5 of public act
337 99-252, is repealed and the following is substituted in lieu thereof:

338 (c) The commissioner shall establish eligibility and program
339 standards including, but not limited to: (1) A priority intake and
340 eligibility system with preference given to serving teen parents,
341 low-income working families, adoptive families of children who were
342 adopted from the Department of Children and Families and who are
343 granted a waiver of income standards under subdivision (2) of
344 subsection (b), and working families who are at risk of welfare
345 dependency; (2) health and safety standards for child care providers
346 not required to be licensed; (3) a reimbursement system for child care
347 services which account for differences in the age of the child, number
348 of children in the family, the geographic region and type of care
349 provided by licensed and unlicensed caregivers, the cost and type of
350 services provided by licensed and unlicensed caregivers, successful
351 completion of fifteen hours of annual in-service training or
352 credentialing of child care directors and administrators, and program
353 accreditation; (4) supplemental payment for special needs of the child
354 and extended nontraditional hours; (5) an annual rate review process
355 which assures that reimbursement rates are maintained at levels which
356 permit equal access to a variety of child care settings; (6) a sliding
357 reimbursement scale for participating families; (7) an administrative

358 appeals process; (8) an administrative hearing process to adjudicate
359 cases of alleged fraud and abuse and to impose sanctions and recover
360 overpayments; and (9) a waiting list for the child care subsidy program
361 that reflects the priority and eligibility system set forth in subdivision
362 (1) of subsection (c) of this section, which is reviewed periodically,
363 with the inclusion of this information in the annual report required to
364 be issued annually by the Department of Social Services to the
365 Governor and the General Assembly in accordance with subdivision
366 (10) of section 17b-733. Such action will include, but not be limited to,
367 family income, age of child, region of state and length of time on such
368 waiting list.

369 Sec. 10. Subsection (c) of section 17b-749c of the general statutes, as
370 amended by section 7 of public act 99-230, is repealed and the
371 following is substituted in lieu thereof:

372 (c) The grants shall be used to:

373 (1) Help providers who are not accredited by the National
374 Association for the Education of Young Children to obtain such
375 accreditation;

376 (2) Help directors and administrators who are not credentialed to
377 become credentialed.

378 ~~[(2)]~~ (3) Provide comprehensive services, such as enhanced access to
379 health care, nutrition, family support services, parent education,
380 literacy and parental involvement, and community and home outreach
381 programs;

382 ~~[(3)]~~ (4) Purchase educational equipment;

383 ~~[(4)]~~ (5) Provide scholarships for training to obtain a child
384 development associate certificate;

385 ~~[(5)]~~ (6) Provide training for persons who are mentor teachers, as
386 defined in federal regulations for the Head Start program, and provide

387 a family service coordinator or a family service worker as such
388 positions are defined in such federal regulations;

389 ~~[(6)]~~ (7) Repair fire, health and safety problems in existing facilities
390 and conduct minor remodeling to comply with the Americans with
391 Disabilities Act;

392 ~~[(7)]~~ (8) Create a supportive network with family day care homes;

393 ~~[(8)]~~ (9) Provide for educational consultation and staff development;

394 ~~[(9)]~~ (10) Provide for program quality assurance personnel; [and]

395 ~~[(10)]~~ (11) Provide technical assistance services to enable providers
396 to develop child care facilities pursuant to sections 17b-749g, 17b-749h
397 and 17b-749i, as amended; and

398 (12) Establish a single point of entry system.

399 Sec. 11. (NEW) The Commissioner of Revenue Services shall grant a
400 credit against any tax due under the provisions of chapter 207, 208,
401 209, 210, 211 or 212 of the general statutes, in an amount not to exceed
402 fifty per cent of the total cash amount contributed during the taxable
403 year by the taxpayer to a school readiness program established
404 pursuant to section 10-16p of the general statutes, as amended by this
405 act, for operating expenses, including, but not limited to, staffing,
406 training, and the purchase of equipment. The amount of the tax credit
407 allowed any taxpayer under the provisions of this section for any tax
408 year shall not exceed one hundred thousand dollars.

409 Sec. 12. The Commissioner of Education, in consultation with the
410 Commissioner of Social Services, shall require school readiness
411 councils in priority school districts pursuant to section 10-266p of the
412 general statutes, as amended, and school districts with a severe need
413 school as defined in section 10-16p of the general statutes, as amended
414 by this act, and invite school readiness councils in transitional school
415 districts pursuant to section 10-263c of the general statutes, as

416 amended, to submit an operating and capital school readiness needs
417 assessment that provides an estimate of the number of three and four
418 year old children in such districts not enrolled in a school readiness
419 program whose parents would likely enroll them if a school readiness
420 program were available and a proposed three-year plan to address any
421 gap in the number of available spaces and the demand for such spaces.
422 On or before January 1, 2001, the Commissioner of Education shall
423 report, in accordance with section 11-4a of the general statutes, to the
424 General Assembly on such needs assessments and recommend actions
425 to address unmet needs.

426 Sec. 13. This act shall take effect July 1, 2000.

Statement of Purpose:

To require student performance trends on the mastery examinations to be considered over a three-year period. To require the Department of Education to establish standards for school districts to use to determine if a school on the list of schools needing improvement is making progress. To provide grants to school districts that have schools on the list. To require the department to develop an identifier system to track the individual performance of students on the mastery examinations. To require the department to designate a series of programs that have demonstrated success in improving student performance in specific areas. To require the Commissioner of Education to report annually to the General Assembly on progress made by schools on the list. To provide grants to public libraries in school districts which have schools on the list to establish partnership programs with such schools. To require summer school programs for students who fail to reach the remedial standard on the state-wide mastery examination to include a number of components. To provide that school readiness grants be based on a three-year average of kindergarten enrolment rather than kindergarten enrolment in the year prior to the year the grant is to be paid. To encourage more directors of programs to obtain the National Administrator Credential. To encourage additional staff training. To establish a tax credit for businesses that make donations to school readiness programs. To provide for school readiness needs assessments. To make other minor and technical changes to the program.

[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.]