



General Assembly

February Session, 2002

Amendment

LCO No. 5210

SB0063405210SD0

Offered by:

SEN. GAFFEY, 13th Dist.

To: Senate Bill No. 634

File No. 518

Cal. No. 325

**"AN ACT CONCERNING THE REEMPLOYMENT OF RETIRED
TEACHERS."**

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Subsection (k) of section 10-145b of the general statutes is
4 repealed and the following is substituted in lieu thereof (*Effective July*
5 *1, 2002*):

6 (k) (1) Unless otherwise provided in regulations adopted under
7 section 10-145d, in not less than three years nor more than eight years
8 after the issuance of a provisional educator certificate pursuant to
9 subsection (g) of this section and upon the statement of the
10 superintendent in whose school district such certificate holder was
11 employed, or the superintendent of a nonpublic school approved by
12 the State Board of Education, in whose school such certificate holder
13 was employed, that the provisional educator certificate holder and
14 such superintendent have mutually determined or approved an

15 individual program pursuant to subdivision (2) of subsection (j) of this
16 section and upon the statement of such superintendent that such
17 certificate holder has a record of competency in the discharge of his or
18 her duties during such provisional period, the state board upon receipt
19 of a proper application shall issue such certificate holder a professional
20 educator certificate. A signed recommendation from the
21 superintendent of schools for the local or regional board of education
22 or from the superintendent of a nonpublic school approved by the
23 State Board of Education shall be evidence of competency. Such
24 recommendation shall state that the person who holds or has held a
25 provisional educator certificate has successfully completed at least
26 three school years of satisfactory teaching for one or more local or
27 regional boards of education or such nonpublic schools. Each applicant
28 for a certificate pursuant to this subsection shall provide to the
29 Department of Education, in such manner and form as prescribed by
30 the commissioner, evidence that the applicant has successfully
31 completed coursework pursuant to subsection (h) or (j) of this section,
32 as appropriate.

33 (2) Upon application, a teacher from another state who has taught in
34 such other state for a minimum of five years and is nationally board
35 certified shall be issued a professional educator certificate with the
36 appropriate endorsement, subject to the provisions of subsection (m) of
37 this section relating to denial of applications for certification.

38 Sec. 2. Subsection (d) of section 10-145f of the general statutes is
39 repealed and the following is substituted in lieu thereof (*Effective July*
40 *1, 2002*):

41 (d) Any person who is first issued a certificate valid after July 1,
42 1989, or who is reissued a certificate after July 1, 1989, shall, except as
43 otherwise provided in this subsection, be required to achieve a
44 satisfactory evaluation on a professional knowledge clinical
45 assessment within two years after commencing [teaching in a public
46 school] participation in the beginning educator support and training
47 program in order to retain the certificate. The commissioner (1) may

48 waive the requirement that such satisfactory evaluation on a
49 professional knowledge clinical assessment be achieved upon a
50 determination that such assessment is not valid for the person's
51 teaching assignment, or (2) upon a showing of good cause, may extend
52 the time limit for the assessment [by one year] for a period of time not
53 exceeding two years. The requirement of a clinical assessment shall not
54 apply to any such person who has completed at least three years of
55 successful teaching in a public school or a nonpublic school approved
56 by the appropriate state board of education during the ten years
57 immediately preceding the date of application or who successfully
58 taught with a provisional teaching certificate during the year
59 immediately preceding an application for a provisional educator
60 certificate as an employee of a local or regional board of education or
61 facility approved for special education by the State Board of Education.
62 Notwithstanding the provisions of this subsection, [to the contrary,]
63 the State Board of Education may reissue an initial educator certificate
64 to a person who held such certificate and did not achieve a satisfactory
65 evaluation on a professional knowledge clinical assessment provided
66 the person submits evidence demonstrating significant intervening
67 study and experience, in accordance with standards established by the
68 State Board of Education.

69 Sec. 3. Subsection (d) of section 10-220a of the general statutes is
70 repealed and the following is substituted in lieu thereof (*Effective July*
71 *1, 2002*):

72 (d) The state Department of Education may fund, within available
73 appropriations, in cooperation with one or more regional educational
74 service centers: (1) A cooperating teacher program to train Connecticut
75 public school teachers and certified teachers at private special
76 education facilities approved by the Commissioner of Education and at
77 other facilities designated by the commissioner, who participate in the
78 supervision, training and evaluation of student teachers; (2) institutes
79 to provide continuing education for Connecticut public school
80 educators, assessors and cooperating teachers and teacher mentors,
81 including institutes to provide continuing education for Connecticut

82 public school educators offered in cooperation with the Connecticut
83 Humanities Council; and (3) a beginning teacher support and
84 assessment program to train Connecticut public school teachers and
85 other qualified persons approved by the Commissioner of Education
86 and certified teachers at such private special education and other
87 designated facilities who serve as mentors or assessors for beginning
88 teachers and who supervise, train and assist or assess beginning
89 teachers in their initial years in teaching and to pay stipends to
90 assessors. Funds available under this subsection shall be paid directly
91 to school districts for the provision of substitute teachers when
92 cooperating teachers, teacher mentors, beginning teachers and
93 assessors are released from regular classroom responsibilities and for
94 the provision of professional development activities for cooperating
95 and student teachers, teacher mentors, assessors and beginning
96 teachers. The cooperating teacher and beginning teacher support and
97 assessment programs shall operate in accordance with regulations
98 which shall be adopted by the State Board of Education pursuant to
99 chapter 54. Student teachers shall be placed with trained cooperating
100 teachers. Beginning teachers shall participate in a beginning teacher
101 support and assessment program as made available by the board.
102 School districts shall be responsible for providing support to beginning
103 teachers which shall include, but not be limited to, the placement of
104 beginning teachers with trained teacher mentors who may be full or
105 part-time teachers in the same or a different building than the
106 beginning teacher and provision of trained assessors to conduct
107 assessments of beginning teachers. Cooperating teachers, teacher
108 mentors and assessors may serve concurrently in more than one
109 capacity and may be assigned more than one student teacher or
110 beginning teacher in each such capacity. The assessment of each
111 beginning teacher shall be based upon, but not limited to, data
112 obtained from observations conducted by assessors using an
113 assessment instrument. [Notwithstanding any regulation to the
114 contrary, the State Board of Education may require less than six
115 observations as part of such assessment for the fiscal year ending June
116 30, 1992, and may establish different assessment standards for use

117 during such fiscal year. Notwithstanding any regulation to the
118 contrary, a] A beginning teacher need not be assessed by a certified
119 teacher who holds a certification endorsement in the same general
120 subject area as such beginning teacher. Cooperating teachers and
121 teacher mentors who are Connecticut public school teachers and
122 assessors who are employed by school districts shall be selected by
123 local and regional boards of education. Cooperating teachers and
124 teacher mentors and assessors at such private special education and
125 other designated facilities shall be selected by the authority responsible
126 for the operation of such facilities. If a board of education is unable to
127 identify a sufficient number of individuals to serve in such positions,
128 the commissioner may select qualified persons who are not employed
129 by the board of education to serve in such positions. Such regulations
130 shall require primary consideration of teachers' classroom experience
131 and recognized success as educators. The provisions of sections 10-
132 153a to 10-153n, inclusive, as amended, shall not be applicable to the
133 selection, placement and compensation of persons participating in the
134 cooperating teacher and beginning teacher support and assessment
135 programs pursuant to the provisions of this section and to the hours
136 and duties of such persons. The State Board of Education shall protect
137 and save harmless, in accordance with the provisions of section 10-235,
138 any cooperating teacher, teacher mentor or assessor while serving in
139 such capacity.

140 Sec. 4. (NEW) (*Effective July 1, 2002*) The Department of Higher
141 Education shall collaborate with the Department of Education, the
142 regional community-technical colleges and four-year institutions of
143 higher education that offer teacher preparation programs, to design
144 programs to allow community-technical college students who are
145 interested in pursuing teaching careers to enter teacher preparation
146 programs at four-year institutions upon completion of their
147 community-technical college programs. Under the programs, a student
148 shall be jointly accepted for admission by the community-technical
149 college and the four-year institution, provided actual admission to the
150 four-year institution shall be subject to successful completion of the

151 community-technical college program. The programs shall include a
152 counseling component.

153 Sec. 5. Subsection (c) of section 10-145f of the general statutes is
154 repealed and the following is substituted in lieu thereof (*Effective July*
155 *1, 2002*):

156 (c) Notwithstanding the provisions of this section and section 10-
157 145b, as amended, the following persons shall be eligible for a
158 nonrenewable temporary certificate: (1) A person who has resided in a
159 state other than Connecticut during the year immediately preceding
160 application for certification in Connecticut and meets the requirements
161 for certification, excluding successful completion of the competency
162 examination and subject matter assessment, if such person holds
163 current teacher certification in a state other than Connecticut and has
164 completed at least one year of successful teaching in another state in a
165 public school or a nonpublic school approved by the appropriate state
166 board of education, (2) a person who has graduated from a teacher
167 preparation program at a college or university outside of the state and
168 regionally accredited, and meets the requirements for certification,
169 excluding successful completion of the competency examination and
170 subject matter assessment, [and] (3) a person hired by a charter school
171 after July first in any school year for a teaching position that school
172 year, provided the person hired after said date could reasonably be
173 expected to complete the requirements prescribed in subparagraphs
174 (B) and (C) of subdivision (1) of subsection (c) of section 10-145b, by
175 the commencement of the school year following the school year in
176 which such person held such temporary certificate, and (4) a person
177 hired to teach in a subject or geographic shortage area pursuant to
178 section 10-8b who (A) has successfully completed the competency
179 examination or has achieved a combined score of one thousand or
180 more on a Scholastic Aptitude Test administered on or before March
181 31, 1995, or a combined score of eleven hundred or more on a
182 Scholastic Aptitude Test administered on or after April 1, 1995, and (B)
183 has five years of successful teaching experience in a related subject
184 area, (i) in this state in a nonpublic school approved by the Department

185 of Education, (ii) in another state in a public school or a nonpublic
186 school approved by the appropriate state board of education, (iii) at a
187 public or private institution of higher education accredited by the
188 Department of Higher Education, or (iv) at a public or private
189 institution of higher education in another state that is regionally
190 accredited. The nonrenewable temporary certificate shall be valid for
191 one year from the date it is issued. Any board of education employing
192 a person who holds a nonrenewable temporary certificate issued
193 pursuant to the provisions of subdivision (2) of this subsection shall
194 provide a program to assist each such person who has not successfully
195 completed the competency examination by January fifteenth of the
196 school year in which such certificate was issued. Said program,
197 developed in consultation with the [state] Department of Education,
198 shall include academic and classroom support service components.
199 Each such person who does not successfully complete said
200 examination by said January fifteenth shall participate in said
201 program.

202 Sec. 6. (*Effective from passage*) The Teachers' Retirement Board
203 pursuant to section 10-1831 of the general statutes, as amended, shall
204 study the feasibility and cost of establishing an optional alternate
205 retirement system for teachers, as defined in section 10-183b of the
206 general statutes, who are first hired on or after July 1, 2003, by any
207 school district in this state and are employed for an average of at least
208 one-half of each school day. The board may consider a plan similar to
209 that developed for eligible unclassified employees of the constituent
210 units of the state system of higher education and the central office staff
211 of the Department of Higher Education pursuant to subsection (c) of
212 section 5-155a of the general statutes or any other portable plan that
213 includes matching contributions by the state. Not later than January 1,
214 2003, the Teachers' Retirement Board shall report its findings and
215 recommendations to the joint standing committee of the General
216 Assembly having cognizance of matters relating to education.

217 Sec. 7. Subsections (b) and (c) of section 10-183e of the general
218 statutes are repealed and the following is substituted in lieu thereof

219 (Effective July 1, 2002):

220 (b) Any member may purchase, as provided in subsection (c) of this
221 section, additional credited service, but [not to exceed an aggregate of
222 one year in the case of service described in subdivision (2) of this
223 subsection for each two years of active full-time service as a
224 Connecticut teacher; and] not to exceed an aggregate of one year in the
225 case of absence described in subdivision (8) of this subsection for each
226 five years of active full-time service as a Connecticut teacher, provided
227 if any such absence exceeds thirty consecutive school months, such
228 additional credited service shall be limited to thirty school months;
229 and not to exceed an aggregate of ten years for all service described in
230 this subsection, except for service described in subdivision (2) of this
231 subsection. In no event [, however,] may any service described in this
232 subsection be purchased if the member is receiving or is, or will
233 become, entitled to receive a retirement benefit based upon such
234 service from any governmental system other than the teachers'
235 retirement system or the federal Social Security System. Additional
236 credited service includes:

237 (1) Service as a teacher in a school for military dependents
238 established by the United States Department of Defense;

239 (2) Service as a teacher in another state of the United States, its
240 territories or possessions;

241 (3) Service in the armed forces of the United States in time of war, as
242 defined in section 27-103, or service in said armed forces during the
243 period beginning October 27, 1953, and ending January 31, 1955;

244 (4) Service in a permanent full-time position for the state;

245 (5) Service as a teacher at The University of Connecticut prior to July
246 1, 1965;

247 (6) Service as a teacher at the Wheeler School and Library, North
248 Stonington, prior to September 1, 1949;

249 (7) Service as a teacher at the Gilbert Home, Winsted, prior to
250 September 1, 1948;

251 (8) Any formal leave of absence as provided in regulations adopted
252 by the board, if the member subsequently returns to service for at least
253 one school year;

254 (9) Service as a teacher at the American School at Hartford for the
255 Deaf, the Connecticut Institute for the Blind or the Newington
256 Children's Hospital;

257 (10) Forty or more days of service as a substitute teacher, or the
258 equivalent service rendered at less than half-time, in a single public
259 school system within the state of Connecticut in any school year,
260 provided twenty days of such service shall equal one month of
261 credited service under subsection (a) of this section;

262 (11) Service in the armed forces of the United States, other than
263 service described in subdivision (3) of this subsection, not to exceed
264 thirty months;

265 (12) Service as a full-time, salaried, elected official of the state or any
266 political subdivision of the state during the 1978 calendar year or
267 thereafter, if such member subsequently returns to service for at least
268 one school year;

269 (13) Service in the public schools of Connecticut as a member of the
270 federal Teacher Corps, not to exceed two years; and

271 (14) Service in the United States Peace Corps.

272 (c) Additional credited service must be purchased by a member (1)
273 [at] prior to the time of retirement, [or] (2) at the time a surviving
274 spouse elects benefits under the provisions of subsection (d) of section
275 10-183h, or (3) at the time benefits commence [under an optional
276 payment form pursuant to section 10-183j]. Any purchase of service
277 shall be accomplished by the member paying to the board an amount
278 equal to one-half of the actuarial present value, determined according

279 to actuarial tables adopted by the board, of the difference between the
280 retirement benefit which the member is entitled to receive based upon
281 his or her service apart from such purchased service and the benefit
282 which he or she is entitled to receive including such service] as
283 provided under sections 10-183g, as amended by this act, and 10-183jj,
284 as amended by this act. Any purchase of such service shall be
285 accomplished by the member paying to the board an amount
286 determined on the basis of actuarial factors adopted by the board
287 which reflect the present value of one-half of the full actuarial cost of
288 the benefit increase that will be derived by the purchase of such
289 service, or in the case of the purchase of service described in
290 subdivision (2) of subsection (b) of this section in excess of ten years,
291 the full actuarial present value. Such factors shall consider the
292 member's age at the time of purchase, actual or projected salary, and
293 the earliest date on which the member would be eligible for a normal
294 retirement allowance. Payments for additional credited service may be
295 made in a lump sum by transfer of funds from the member's
296 accumulated one per cent contributions withheld prior to July 1, 1989,
297 with credited interest and accumulated voluntary contributions with
298 credited interest plus such other amounts as may be required to
299 complete the purchase.

300 Sec. 8. Subsection (m) of section 10-183g of the general statutes is
301 repealed and the following is substituted in lieu thereof (*Effective July*
302 *1, 2002*):

303 (m) If the plan actuaries have certified in accordance with
304 subsection (n) of this section that the amount of the [excess earnings
305 account] cost of living adjustment reserve account which is available
306 for payment of a cost of living allowance is insufficient to fund the full
307 amount determined under subsection (l) of this section, each person
308 eligible for an annual cost of living allowance under said subsection (l)
309 shall be eligible for a cost of living allowance reduced proportionately
310 to a percentage that is actuarially supported by the amount so
311 certified, in lieu of the cost of living allowance provided under said
312 subsection (l), provided no cost of living allowance shall exceed six per

313 cent and provided further, if the total return earned by the trustees on
314 the market value of the pension assets for the preceding fiscal year is
315 less than eight and one-half per cent, any cost of living allowance
316 granted shall not exceed one and one-half per cent.

317 Sec. 9. Subsection (n) of section 10-183g of the general statutes is
318 repealed and the following is substituted in lieu thereof (*Effective July*
319 *1, 2002*):

320 (n) To administer cost of living allowances provided under
321 subsections (l) and (m) of this section, there is established the [excess
322 earnings account] cost of living adjustment reserve account which shall
323 be a separate account established within the Teachers' Retirement
324 Fund. For the calendar year commencing January 1, 1995, and each
325 subsequent calendar year, the [excess earnings account] cost of living
326 adjustment reserve account shall be credited by an amount equal to
327 that portion of the total return earned by the trustees on the market
328 value of the pension assets for the preceding fiscal year which is a total
329 return in excess of eleven and one-half per cent. The [excess earnings
330 account] cost of living adjustment reserve account shall be reduced
331 each year by the actuarial value of any cost of living allowance
332 awarded. On May first, annually, the plan actuaries shall determine
333 how much of the [excess earnings account] cost of living adjustment
334 reserve account balance is available for payment of a cost of living
335 adjustment determined in accordance with the provisions of this
336 section and shall certify their determination to the trustees of the
337 Teachers' Retirement Fund. If the plan actuaries determine that there
338 are no funds available in the [excess earnings account] cost of living
339 adjustment reserve account for the payment of a cost of living
340 allowance, no cost of living allowance shall be paid.

341 Sec. 10. Subsection (e) of section 10-183jj of the general statutes is
342 repealed and the following is substituted in lieu thereof (*Effective July*
343 *1, 2002*):

344 (e) For each year of additional credited service purchased pursuant

345 to this section, the local or regional board of education shall pay an
346 amount specified by the Teachers' Retirement Board equal to the
347 actuarial present value, determined according to actuarial tables
348 adopted by the Teachers' Retirement Board, of the difference between
349 the retirement benefit which the member is entitled to receive based
350 upon [his or her] the member's service apart from such purchased
351 service and the benefit which [he or she] the member is entitled to
352 receive including such service. Payments shall be made in accordance
353 with rules adopted by the Teachers' Retirement Board. Such payments
354 must be received not later than thirty days following the date payment
355 is requested or interest shall be assessed from the date on which such
356 payment was due to the date on which such payment was received.
357 When a board of education purchases additional credited service for a
358 member pursuant to this section, the Teachers' Retirement Board shall
359 notify the member in writing. Payment for additional service credit
360 purchased pursuant to this section may be made in equal annual
361 installment payments, including interest, not to exceed the number of
362 years being purchased by the local or regional board of education. Late
363 payments and outstanding obligations from a prior year's purchase or
364 late payment of monthly mandatory contributions shall be paid in full
365 prior to the initiation of a new early retirement incentive plan or such
366 amounts shall be included as part of the cost of the new early
367 retirement incentive plan. Interest shall be assessed on installment
368 payments and late payments as provided by subsection (b) of section
369 10-183n. Any additional credited service purchased for any such
370 member shall be in addition to any credited service purchased
371 pursuant to section 10-183e, as amended by this act.

372 Sec. 11. Subsection (g) of section 10-183e of the general statutes is
373 repealed and the following is substituted in lieu thereof (*Effective July*
374 *1, 2002*):

375 (g) Any member who has been elected to a full-time or part-time
376 position in an organization which has been duly designated as the
377 teachers' representative or who has been elected to a full-time or part-
378 time position in [the] a state-wide, national or international bargaining

379 organization [with which the local bargaining organization is
 380 affiliated, under the provisions of section 10-153b,] may, during the
 381 time [he] such member so serves, continue [his] membership and may
 382 make, or have made for [him] such member, payments of [his]
 383 contributions for such time, provided the organization which such
 384 [teacher] member represents shall pay the full actuarial cost that would
 385 otherwise be incurred by the state for the time such [teacher] member
 386 serves in excess of one year. If payment is made during such periods or
 387 at any time before retirement, such member shall receive credit for
 388 such service and shall be considered as serving as a public school
 389 teacher in the state for the purpose of computing length of service, and
 390 for the purpose of computing average annual salary, and shall be
 391 considered by the retirement board as though [he] such member were
 392 remaining in [his] such member's latest teaching position."

This act shall take effect as follows:	
Section 1	<i>July 1, 2002</i>
Sec. 2	<i>July 1, 2002</i>
Sec. 3	<i>July 1, 2002</i>
Sec. 4	<i>July 1, 2002</i>
Sec. 5	<i>July 1, 2002</i>
Sec. 6	<i>from passage</i>
Sec. 7	<i>July 1, 2002</i>
Sec. 8	<i>July 1, 2002</i>
Sec. 9	<i>July 1, 2002</i>
Sec. 10	<i>July 1, 2002</i>
Sec. 11	<i>July 1, 2002</i>