



General Assembly

Substitute Bill No. 5186

January Session, 2003

AN ACT CONCERNING TEACHERS AND COLLECTIVE BARGAINING.

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

1 Section 1. Section 10-151b of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2003*):

3 (a) The superintendent of each local or regional board of education
4 shall, in accordance with guidelines established by the State Board of
5 Education for the development of evaluation programs and such other
6 guidelines as may be established by mutual agreement between the
7 local or regional board of education and the teachers' representative
8 chosen pursuant to section 10-153b, continuously evaluate or cause to
9 be evaluated each teacher. An evaluation pursuant to this subsection
10 shall include, but need not be limited to, strengths, areas needing
11 improvement and strategies for improvement. Claims of material
12 failure to follow the procedures established in said evaluation
13 programs shall be subject to the grievance procedure in collective
14 bargaining agreements negotiated subsequent to July 1, 2003. The
15 superintendent shall report the status of teacher evaluations to the
16 local or regional board of education on or before June first of each year.
17 For purposes of this section, the term "teacher" shall include each
18 professional employee of a board of education, below the rank of
19 superintendent, who holds a certificate or permit issued by the State
20 Board of Education.

21 (b) Each local and regional board of education shall develop and
22 implement teacher evaluation programs consistent with guidelines
23 established by the State Board of Education and consistent with the
24 plan developed in accordance with the provisions of subsection (b) of
25 section 10-220a.

26 Sec. 2. Subsection (d) of section 10-220a of the general statutes is
27 repealed and the following is substituted in lieu thereof (*Effective July*
28 *1, 2003*):

29 (d) The state Department of Education may fund, within available
30 appropriations, in cooperation with one or more regional educational
31 service centers: (1) A cooperating teacher program to train Connecticut
32 public school teachers and certified teachers at private special
33 education facilities approved by the Commissioner of Education and at
34 other facilities designated by the commissioner, who participate in the
35 supervision, training and evaluation of student teachers; (2) institutes
36 to provide continuing education for Connecticut public school
37 educators, assessors and cooperating teachers and teacher mentors,
38 including institutes to provide continuing education for Connecticut
39 public school educators offered in cooperation with the Connecticut
40 Humanities Council; and (3) a beginning teacher support and
41 assessment program to train Connecticut public school teachers and
42 other qualified persons approved by the Commissioner of Education
43 and certified teachers at such private special education and other
44 designated facilities who serve as mentors or assessors for beginning
45 teachers and who supervise, train and assist or assess beginning
46 teachers in their initial years in teaching and to pay stipends to
47 assessors. Funds available under this subsection shall be paid directly
48 to school districts for the provision of substitute teachers when
49 cooperating teachers, teacher mentors, beginning teachers and
50 assessors are released from regular classroom responsibilities and for
51 the provision of professional development activities for cooperating
52 and student teachers, teacher mentors, assessors and beginning
53 teachers. The cooperating teacher and beginning teacher support and
54 assessment programs shall operate in accordance with regulations

55 which shall be adopted by the State Board of Education pursuant to
56 chapter 54. Student teachers shall be placed with trained cooperating
57 teachers. Beginning teachers shall participate in a beginning teacher
58 support and assessment program as made available by the board.
59 School districts shall be responsible for providing support to beginning
60 teachers which shall include, but not be limited to, the placement of
61 beginning teachers with trained teacher mentors who may be full or
62 part-time teachers in the same or a different building than the
63 beginning teacher and provision of trained assessors to conduct
64 assessments of beginning teachers. Cooperating teachers, teacher
65 mentors and assessors may serve concurrently in more than one
66 capacity and may be assigned more than one student teacher or
67 beginning teacher in each such capacity. The assessment of each
68 beginning teacher shall be based upon, but not limited to, data
69 obtained from observations conducted by assessors using an
70 assessment instrument. Notwithstanding any regulation to the
71 contrary, the State Board of Education may require less than six
72 observations as part of such assessment for the fiscal year ending June
73 30, 1992, and may establish different assessment standards for use
74 during such fiscal year. Notwithstanding any regulation to the
75 contrary, a beginning teacher need not be assessed by a certified
76 teacher who holds a certification endorsement in the same general
77 subject area as such beginning teacher. Cooperating teachers and
78 teacher mentors who are Connecticut public school teachers and
79 assessors who are employed by school districts shall be selected by
80 local and regional boards of education. Cooperating teachers and
81 teacher mentors and assessors at such private special education and
82 other designated facilities shall be selected by the authority responsible
83 for the operation of such facilities. If a board of education is unable to
84 identify a sufficient number of individuals to serve in such positions,
85 the commissioner may select qualified persons who are not employed
86 by the board of education to serve in such positions. Such regulations
87 shall require primary consideration of teachers' classroom experience
88 and recognized success as educators. The provisions of sections 10-
89 153a to 10-153n, inclusive, as amended by this act, shall not be

90 applicable to the selection [.] and placement [and compensation] of
91 persons participating in the cooperating teacher and beginning teacher
92 support and assessment programs pursuant to the provisions of this
93 section, but the provisions of said sections 10-153a to 10-153n,
94 inclusive, shall be applicable to the compensation and to the hours and
95 duties of such persons. The State Board of Education shall protect and
96 save harmless, in accordance with the provisions of section 10-235, any
97 cooperating teacher, teacher mentor or assessor while serving in such
98 capacity.

99 Sec. 3. Subsection (b) of section 10-153d of the general statutes is
100 repealed and the following is substituted in lieu thereof (*Effective July*
101 *1, 2003*):

102 (b) The local or regional board of education and the organization
103 designated or elected as the exclusive representative for the
104 appropriate unit, through designated officials or their representatives,
105 shall have the duty to negotiate with respect to salaries, hours and
106 other conditions of employment about which either party wishes to
107 negotiate, including, but not limited to, for negotiations subsequent to
108 July 1, 2003, compensation of mentor teachers participating in the
109 cooperating teacher and beginning teacher support and assessment
110 programs pursuant to the provisions of section 10-220a, as amended by
111 this act, and to the hours and duties of such persons. For purposes of
112 this subsection and sections 10-153a, 10-153b, as amended by this act,
113 and 10-153e to 10-153g, inclusive, (1) "hours" shall not include the
114 length of the student school year, the scheduling of the student school
115 year, the length of the student school day, the length and number of
116 parent-teacher conferences and the scheduling of the student school
117 day, except for the length and the scheduling of teacher lunch periods
118 and teacher preparation periods, and (2) "other conditions of
119 employment" shall not include the establishment or provisions of any
120 retirement incentive plan authorized by section 10-183jj. Such
121 negotiations shall commence not less than two hundred ten days prior
122 to the budget submission date. Any local board of education shall file
123 forthwith a signed copy of any contract with the town clerk and with

124 the Commissioner of Education. Any regional board of education shall
125 file forthwith a signed copy of any such contract with the town clerk in
126 each member town and with the Commissioner of Education. Upon
127 receipt of a signed copy of such contract the clerk of such town shall
128 give public notice of such filing. The terms of such contract shall be
129 binding on the legislative body of the local or regional school district,
130 unless such body rejects such contract at a regular or special meeting
131 called and convened for such purpose within thirty days of the filing
132 of the contract. If a vote on such contract is petitioned for in accordance
133 with the provisions of section 7-7, in order to reject such contract, a
134 minimum number of those persons eligible to vote equal to fifteen per
135 cent of the electors of such local or regional school district shall be
136 required to participate in the voting and a majority of those voting
137 shall be required to reject. Any regional board of education shall call a
138 district meeting to consider such contract within such thirty-day
139 period if the chief executive officer of any member town so requests in
140 writing within fifteen days of the receipt of the signed copy of the
141 contract by the town clerk in such town. The body charged with
142 making annual appropriations in any school district shall appropriate
143 to the board of education whatever funds are required to implement
144 the terms of any contract not rejected pursuant to this section. All
145 organizations seeking to represent members of the teaching profession
146 shall be accorded equal treatment with respect to access to teachers,
147 principals, members of the board of education, records, mail boxes and
148 school facilities and, in the absence of any recognition or certification
149 as the exclusive representative as provided by section 10-153b, as
150 amended by this act, participation in discussions with respect to
151 salaries, hours and other conditions of employment.

152 Sec. 4. Subsection (a) of section 10-153b of the general statutes is
153 repealed and the following is substituted in lieu thereof (*Effective July*
154 *1, 2003*):

155 (a) Whenever used in this section or in sections 10-153c to 10-153n,
156 inclusive, as amended by this act: (1) The "administrators' unit" means
157 the certified professional employee or employees in a school district

158 not excluded from the purview of sections 10-153a to 10-153n,
159 inclusive, as amended by this act, employed in positions requiring an
160 intermediate administrator or supervisor certificate, or the equivalent
161 thereof, and whose administrative or supervisory duties, for purposes
162 of determining membership in the administrators' unit, shall equal at
163 least fifty per cent of the assigned time of such employee. Certified
164 professional employees covered by the terms and conditions of a
165 contract in effect prior to October 1, 1983, shall continue to be covered
166 by such contract or any successor contract until such time as the
167 employee is covered by the terms and conditions of a contract
168 negotiated by the exclusive bargaining unit of which the employee is a
169 member for purposes of collective bargaining pursuant to the
170 provisions of this section. (2) The "teachers' unit" means the group of
171 [certified] professional employees who hold a certificate or durational
172 shortage area permit issued by the State Board of Education under the
173 provisions of sections 10-144o to 10-149, inclusive, and are employed
174 by a local or regional board of education in positions requiring such a
175 [teaching or other] certificate or durational shortage area permit and
176 are not included in the administrators' unit or excluded from the
177 purview of sections 10-153a to 10-153n, inclusive, as amended by this
178 act. (3) "Commissioner" means the Commissioner of Education. (4) "To
179 post a notice" means to post a copy of the indicated material on each
180 bulletin board for teachers in every school in the school district or, if
181 there are no such bulletin boards, to give a copy of such information to
182 each employee in the unit affected by such notice. (5) "Budget
183 submission date" means the date on which a school district is to submit
184 its itemized estimate of the cost of maintenance of public schools for
185 the next following year to the board of finance in each town having a
186 board of finance, to the board of selectmen in each town having no
187 board of finance and, in any city having a board of finance, to said
188 board, and otherwise to the authority making appropriations therein.
189 (6) "Days" means calendar days.

190 Sec. 5. Subdivision (2) of subsection (a) of section 10-151 of the
191 general statutes is repealed and the following is substituted in lieu

192 thereof (*Effective July 1, 2003*):

193 (2) The term "teacher" shall include each [certified] professional
194 employee holding a certificate or durational shortage area permit
195 issued by the State Board of Education under the provisions of sections
196 10-144o to 10-149, inclusive, below the rank of superintendent
197 employed by a board of education for at least ninety days in a position
198 requiring a certificate or durational shortage area permit issued by the
199 State Board of Education.

This act shall take effect as follows:	
Section 1	<i>July 1, 2003</i>
Sec. 2	<i>July 1, 2003</i>
Sec. 3	<i>July 1, 2003</i>
Sec. 4	<i>July 1, 2003</i>
Sec. 5	<i>July 1, 2003</i>

ED *Joint Favorable Subst.*