



**Substitute House Bill No. 7347**

**Public Act No. 07-241**

**AN ACT CONCERNING MINOR CHANGES TO THE EDUCATION STATUTES.**

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

Section 1. Subdivisions (15) and (16) of section 10-262f of the general statutes are repealed and the following is substituted in lieu thereof (*Effective July 1, 2007*):

(15) "Mastery percentage" of a town for any [examination] school year means, using the mastery test data of record for the examination [year] administered in such year, the number obtained by dividing (A) the total number of valid tests with scores below the state-wide standard for remedial assistance as determined by the Department of Education in each subject of the examinations pursuant to subdivisions (1) and (2) of subsection (a) of section 10-14n taken by resident students, by (B) the total number of such valid tests taken by such students.

(16) "Mastery test data of record" means (A) for any examination [year means] administered prior to the 2005-2006 school year, the data of record on the April thirtieth subsequent to the administration of the examinations pursuant to subdivisions (1) and (2) of subsection (a) of section 10-14n, except that school districts may, not later than the

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March first following the administration of an examination, file a request with the Department of Education for an adjustment of the mastery test data from such examination, and (B) for examinations administered in the 2005-2006 school year and each school year thereafter, the data of record on the December thirty-first subsequent to the administration of the examinations pursuant to subdivisions (1) and (2) of subsection (c) of section 10-14n, or such data adjusted by the Department of Education pursuant to a request by a local or regional board of education for an adjustment of the mastery test data from such examination filed with the department not later than the November thirtieth following the administration of the examination.

Sec. 2. (NEW) (*Effective July 1, 2007*) Each local and regional board of education may require any high school under its jurisdiction that hosts an informational forum concerning college preparation or the college admission process to which parents and guardians of students are invited to provide such parents and guardians with information about the optional nature of some surveys and questions that accompany examinations taken for college admission. The information provided to parents and guardians shall include a warning that the release of personal identifying information, as defined in subsection (b) of section 53a-129a of the general statutes, may increase a student's vulnerability to identify theft.

Sec. 3. Subsection (a) of section 10-212a of the general statutes is amended by adding subdivision (3) as follows (*Effective from passage*):

(NEW) (3) A director of a school readiness program as defined in section 10-16p or a before or after school program exempt from licensure by the Department of Public Health pursuant to subdivision (1) of subsection (b) of section 19a-77, or the director's designee, may administer medications to a child enrolled in such a program in accordance with regulations adopted by the State Board of Education in accordance with the provisions of chapter 54. No individual

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administering medications pursuant to this subdivision shall be liable to such child or a parent or guardian of such child for civil damages for any personal injuries that result from acts or omissions of such individual in administering such medications which may constitute ordinary negligence. This immunity shall not apply to acts or omissions constituting gross, wilful or wanton negligence.

Sec. 4. Section 10-157 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2007*):

(a) Any local or regional board of education shall provide for the supervision of the schools under its control by a superintendent who shall serve as the chief executive officer of the board. The superintendent shall have executive authority over the school system and the responsibility for its supervision. Employment of a superintendent shall be by election of the board of education. Except as provided in subsection (b) of this section, no person shall assume the duties and responsibilities of the superintendent until the board receives written confirmation from the Commissioner of Education that the person to be employed is properly certified or has had such certification waived by the commissioner pursuant to subsection (c) of this section. The commissioner shall inform any such board, in writing, of the proper certification, waiver of certification or lack [thereof] of certification or waiver of any such person [within] not later than fourteen days after the name of such person is submitted to [him] the commissioner pursuant to section 10-226. A majority vote of all members of the board shall be necessary to an election, and the board shall fix the salary of the superintendent and the term of office, which shall not exceed three years. Upon election and notification of employment or reemployment, the superintendent may request and the board shall provide a written contract of employment which [shall include] includes, but not be limited to, the salary, employment benefits and term of office of such superintendent. Such

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superintendent shall, at least three weeks before the annual town or regional school district meeting, submit to the board a full written report of the proceedings of such board and of the condition of the several schools during the school year preceding, with plans and suggestions for their improvement. The board of education shall evaluate the performance of the superintendent annually in accordance with guidelines and criteria mutually determined and agreed to by such board and such superintendent.

(b) A local or regional board of education may appoint as acting superintendent a person who is or is not properly certified for a specified period of time, not to exceed ninety days, with the approval of the Commissioner of Education. Such acting superintendent shall assume all duties of the superintendent for the time specified, provided such period of time may be extended with the approval of the commissioner, which he shall grant for good cause shown.

(c) The commissioner may grant a waiver of certification to a person who the commissioner deems to be exceptionally qualified for the position of superintendent. In order for the commissioner to find a person exceptionally qualified, such person shall (1) be an acting superintendent pursuant to subsection (b) of this section, (2) have worked as a superintendent in another state for no fewer than fifteen years, and (3) be certified or have been certified as a superintendent by such other state.

Sec. 5. Subsection (a) of section 10-145 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2007*):

(a) No teacher, supervisor, administrator, special service staff member or school superintendent, except as provided for in section 10-157, as amended by this act, shall be employed in any of the schools of any local or regional board of education unless such person possesses

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an appropriate state certificate, nor shall any such person be entitled to any salary unless such person can produce such certificate dated previous to or the first day of employment, except as provided for in section 10-157, as amended by this act; provided nothing herein contained shall be construed to prevent the board of education from prescribing qualifications additional to those prescribed by the regulations of the State Board of Education and provided nothing herein contained shall be construed to prevent any local or regional board of education from contracting with a licensed drivers' school approved by the Commissioner of Motor Vehicles for the behind-the-wheel instruction of a driver instruction course, to be given by driving instructors licensed by the Department of Motor Vehicles. No person shall be employed in any of the schools of any local or regional board of education as a substitute teacher unless such person holds a bachelor's degree, provided the Commissioner of Education may waive such requirement for good cause upon the request of a superintendent of schools.

Sec. 6. (*Effective from passage*) Notwithstanding the provisions of title 10 of the general statutes or any regulation adopted by the State Board of Education that requires that a durational shortage area permit be issued by the State Board of Education in a shortage area and that the person to whom the durational shortage area permit is issued have a bachelor's degree from a regionally accredited institution, the State Board of Education shall issue a durational shortage area permit in elementary education for one year, which permit may be renewed up to two times in accordance with regulations adopted by the State Board of Education to a person who was born in Canada, achieved American citizenship on September 17, 2003, and has been teaching special education classes for a period of not less than nine years.

Sec. 7. (*Effective July 1, 2007*) Not later than June 1, 2008, the State Board of Education shall, in accordance with the provisions of chapter

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54 of the general statutes, adopt regulations to provide standards for the certification of marital and family therapists employed by local or regional boards of education. Such regulations shall include certification requirements to be met by (1) licensure as a marital and family therapist under section 20-195c of the general statutes, and (2) such other experience as the State Board of Education deems appropriate for the position of marital and family therapist in a school system.

Approved July 10, 2007