



**House Bill No. 6901**

**June 19 Special Session, Public Act No. 09-1**

**AN ACT CONCERNING EDUCATOR CERTIFICATION AND PROFESSIONAL DEVELOPMENT AND OTHER EDUCATION ISSUES.**

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

Section 1. Section 10-145a of the general statutes, as amended by section 8 of public act 08-160, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2009*):

(a) The State Board of Education may, in accordance with section 10-19 and such regulations and qualifications as it prescribes, issue certificates of qualification to teach, to administer, to supervise or to serve in other positions requiring certification pursuant to regulations adopted by the State Board of Education in any public school in the state and may revoke the same. Any such regulations shall provide that the qualifications to maintain any administrator, supervisor or special service certificate shall incorporate the continuing education provisions of subsection [(1)] (i) of section 10-145b, as amended by this act. The certificates of qualification issued under this section shall be accepted by boards of education in lieu of any other certificate, provided additional qualifications may be required by a board of education, in which case the state certificate shall be accepted for such subjects as it includes.

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(b) Any candidate in a program of teacher preparation leading to professional certification shall be encouraged to successfully complete an intergroup relations component of such a program which shall be developed with the participation of both sexes, and persons of various ethnic, cultural and economic backgrounds. Such intergroup relations program shall have the following objectives: (1) The imparting of an appreciation of the contributions to American civilization of the various ethnic, cultural and economic groups composing American society and an understanding of the life styles of such groups; (2) the counteracting of biases, discrimination and prejudices; and (3) the assurance of respect for human diversity and personal rights. The State Board of Education, the Board of Governors of Higher Education, the Commission on Human Rights and Opportunities and the Permanent Commission on the Status of Women shall establish a joint committee composed of members of the four agencies, which shall develop and implement such programs in intergroup relations.

(c) Any candidate in a program of teacher preparation leading to professional certification shall be encouraged to complete a (1) health component of such a program, which includes, but need not be limited to, human growth and development, nutrition, first aid, disease prevention and community and consumer health, and (2) mental health component of such a program, which includes, but need not be limited to, youth suicide, child abuse and alcohol and drug abuse.

(d) Any candidate in a program of teacher preparation leading to professional certification shall be encouraged to complete a school violence, bullying and suicide prevention and conflict resolution component of such a program.

(e) On and after July 1, 1998, any candidate in a program of teacher preparation leading to professional certification shall complete a computer and other information technology skills component of such program, as applied to student learning and classroom instruction,

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communications and data management.

(f) On and after July 1, 2006, any program of teacher preparation leading to professional certification shall include, as part of the curriculum, instruction in literacy skills and processes that reflects current research and best practices in the field of literacy training. Such instruction shall be incorporated into requirements of student major and concentration.

(g) On and after July 1, 2006, any program of teacher preparation leading to professional certification shall include, as part of the curriculum, instruction in the concepts of second language learning and second language acquisition and processes that reflects current research and best practices in the field of second language learning and second language acquisition. Such instruction shall be incorporated into requirements of student major and concentration.

(h) On and after July 1, 2012, any candidate entering a program of teacher preparation leading to professional certification shall be required to complete training in competency areas contained in the professional teaching standards established by the State Board of Education, including, but not limited to, development and characteristics of learners, evidence-based and standards-based instruction, evidence-based classroom and behavior management, and assessment and professional behaviors and responsibilities.

Sec. 2. Section 10-145b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2009*):

(a) The State Board of Education, upon receipt of a proper application, shall issue an initial educator certificate to any person who has graduated (1) from a four-year baccalaureate program of teacher education as approved by said state board, or (2) from a four-year baccalaureate program approved by said state board or from a college

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or university accredited by the board of governors or regionally accredited, provided such person has taken such teacher training equivalents as the State Board of Education shall require and, unless such equivalents are taken at institutions outside of this state, as the board of governors shall accredit. In addition, on and after July 1, 1993, each applicant shall have completed a subject area major as defined by the State Board of Education, except as provided in section 10 of this act. Each such initial educator certificate shall be valid for three years, except as provided in subsection (c) of this section, and may be extended by the Commissioner of Education for an additional year for good cause upon the request of the superintendent in whose school district such person is employed or upon the request of the assessment team reviewing such person's performance.

(b) During the period of employment in a public school, a person holding an initial educator certificate shall (1) be under the supervision of the superintendent of schools or of a principal, administrator or supervisor designated by such superintendent who shall regularly observe, guide and evaluate the performance of assigned duties by such holder of an initial certificate, and (2) participate in a beginning educator program if there is such a program for such person's certification endorsement area.

(c) (1) The State Board of Education, upon request of a local or regional board of education, shall issue a temporary ninety-day certificate to any applicant in the certification endorsement areas of elementary education, middle grades education, secondary academic subjects, special subjects or fields, special education, early childhood education and administration and supervision when the following conditions are met:

(A) The employing agent of a board of education makes a written request for the issuance of such certificate and attests to the existence of a special plan for supervision of temporary ninety-day certificate

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holders;

(B) The applicant meets the following requirements, except as otherwise provided in subparagraph (C) of this subdivision:

(i) Holds a bachelor's degree from an institution of higher education accredited by the Board of Governors of Higher Education or regionally accredited with a major either in or closely related to the certification endorsement area in which the requesting board of education is placing the applicant or, in the case of secondary or special subject or field endorsement area, possesses at least the minimum total number of semester hours of credit required for the content area, except as provided in section 10 of this act;

(ii) Has met the requirements pursuant to subsection (b) of section 10-145f, as amended by this act;

(iii) Presents a written application on such forms as the Commissioner of Education shall prescribe;

(iv) Has successfully completed [a program of classroom management and instructional methodology approved by the State Board of Education and, within available appropriations, provided under contract with an institution of higher education designated] an alternate route to certification program provided by the Department of Higher Education or public or independent institutions of higher education, regional educational service centers or private teacher or administrator training organizations and approved by the State Board of Education;

(v) Possesses an undergraduate college overall grade point average of at least "B" or, if the applicant has completed at least twenty-four hours of graduate credit, possesses a graduate grade point average of at least "B"; and

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(vi) Presents supporting evidence of appropriate experience working with children; and

(C) The Commissioner of Education may waive the requirements of subparagraphs (B)(v) or (B)(vi), or both, of this subdivision upon a showing of good cause.

(2) A person serving under a temporary ninety-day certificate shall participate in a beginning support and assessment program pursuant to section 10-220a, as amended by this act, which is specifically designed by the state Department of Education for holders of temporary ninety-day certificates.

(3) Notwithstanding the provisions of subsection (a) of this section to the contrary, on and after July 1, 1989, the State Board of Education, upon receipt of a proper application, shall issue an initial educator certificate, which shall be valid for three years, to any person who has taught successfully while holding a temporary ninety-day certificate and meets the requirements pursuant to regulations adopted pursuant to section 10-145d.

[(d) On and after July 1, 1986, and prior to July 1, 1989, a person who has graduated (1) from a four-year baccalaureate program of teacher education as approved by the state board, or (2) from a four-year baccalaureate program approved by the state board or from a college or university accredited by the Board of Governors of Higher Education or regionally accredited, provided such person has taken such teacher training equivalents as the State Board of Education shall require and, unless such equivalents are taken at institutions outside of this state, as the Board of Governors of Higher Education shall accredit, shall be issued upon proper application a provisional teaching certificate by the state board which shall be valid for up to ten years.]

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[(e)] (d) In order to be eligible to obtain a provisional teaching certificate, a provisional educator certificate or an initial educator certificate, each person shall be required to complete a course of study in special education comprised of not fewer than thirty-six hours, which shall include an understanding of the growth and development of exceptional children, including handicapped and gifted and talented children and children who may require special education, and methods for identifying, planning for and working effectively with special needs children in a regular classroom. Notwithstanding the provisions of this subsection to the contrary, each applicant for such certificates who has met all requirements for certification except the completion of the course in special education shall be entitled to a certificate (1) for a period not to exceed one year, provided the applicant completed a teacher preparation program either in the state prior to July 1, 1987, or outside the state, or completed the necessary combination of professional experience or coursework as required by the State Board of Education or (2) for a period not to exceed two years if the applicant applies for certification in an area for which a bachelor's degree is not required.

[(f)] During the period of employment, a person holding a provisional teaching certificate pursuant to subsection (d) of this section shall be under the direct supervision of the superintendent of schools or of a principal, administrator or supervisor designated by such superintendent who shall regularly observe, guide and evaluate the performance of assigned duties by such holder of a provisional teaching certificate as well as cooperate with and counsel such holder in accordance with the provisions of sections 10-145a to 10-145d, inclusive, and 10-146b.]

[(g)] (e) On and after July 1, 1989, the State Board of Education, upon receipt of a proper application, shall issue a provisional educator certificate to any person who (1) has successfully completed a

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beginning educator program and one school year of successful teaching as attested to by the superintendent, or the superintendent's designee, in whose local or regional school district such person was employed, (2) has completed at least three years of successful teaching in a public school in another state or a nonpublic school approved by the State Board of Education or appropriate governing body in another state within ten years prior to application for such provisional educator certificate, as attested to by the superintendent, or the superintendent's designee, in whose school district such person was employed, or by the supervising agent of the nonpublic school in which such person was employed, and has met preparation and eligibility requirements for an initial educator certificate, [(3) has taught successfully in public schools in this state for the 1988-1989 school year under a temporary emergency permit and has met the preparation and eligibility requirements for an initial educator certificate,] or [(4)] (3) has successfully taught with a provisional teaching certificate for the year immediately preceding an application for a provisional educator certificate as an employee of a local or regional board of education or facility approved for special education by the State Board of Education.

[(h) Prior to July 1, 1989, to qualify for a standard certificate, a person who holds or has held a provisional teaching certificate pursuant to subsection (d) of this section shall have completed thirty credit hours of course work beyond the baccalaureate degree. Such course work need not necessarily lead to a master's degree and may include graduate or undergraduate courses. It shall consist of (1) a planned program at an institution of higher education accredited by the board of governors or regionally accredited or (2) an individual program which is mutually determined or approved by the teacher and the supervisory agent of the local or regional board of education or by the supervisory agent of a nonpublic school approved by the State Board of Education and which is designed to increase the ability

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of the teacher to improve student learning. Such an individual program may include course work taken at one or more institutions for higher education approved by the board of governors and may include in-service programs sponsored by local or regional boards of education or nonpublic schools approved by the State Board of Education. Such in-service programs shall have been approved by the joint subcommittee of the Board of Governors of Higher Education and the State Board of Education established pursuant to section 10-155b of the revision of 1958, revised to January 1, 1983.

(i) Unless otherwise provided in regulations adopted under section 10-145d, in not less than three years nor more than ten years after the issuance of a provisional teaching certificate pursuant to subsection (d) of this section and upon the statement of the employing board of education or nonpublic school approved by the State Board of Education that the person who holds or has held a provisional certificate has a record of competency in the discharge of his or her duties during such provisional period, the state board, upon receipt of a proper application, shall issue to a person who holds or has held a provisional certificate, a standard teaching certificate prior to July 1, 1989, and a professional educator certificate on or after said date. A signed recommendation from the superintendent of schools for the local or regional board of education or by the superintendent of a nonpublic school approved by the State Board of Education shall be evidence of competency. Such recommendation shall state that the person who holds or has held a provisional teaching certificate has successfully completed at least three school years of satisfactory teaching for one or more local or regional boards of education or approved nonpublic schools. Each applicant for a certificate pursuant to this subsection shall provide to the Department of Education, in such manner and form as prescribed by the commissioner, evidence that the applicant has successfully completed coursework pursuant to subsection (h) or (j) of this section, as appropriate.]

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~~(f)~~ Any person holding a standard or permanent certificate on July 1, 1989, shall be eligible to receive upon application a professional educator certificate to replace said standard or permanent certificate. On and after July 1, 1989, standard and permanent certificates shall no longer be valid.

~~[(j)] (g)~~ On or after July 1, 1989, and prior to July 1, 2016, to qualify for a professional educator certificate, a person who holds or has held a provisional educator certificate under subsection ~~[(g)] (e)~~ of this section shall have completed thirty credit hours of course work beyond the baccalaureate degree. It is not necessary that such course work be taken for a master's degree and such work may include graduate or undergraduate courses. [Such course work shall consist of (1) a planned program at an institution of higher education accredited by the board of governors or regionally accredited and shall be related directly to the subject areas or grade levels for which the person holds endorsement or shall be in an area or areas related to the person's ability to provide instruction effectively or to meet locally determined goals and objectives or (2) an individual program which is mutually determined or approved by the teacher and the supervisory agent of the local or regional board of education or by the supervisory agent of a nonpublic school approved by the State Board of Education. Such program shall be designed to increase the ability of the teacher to improve student learning.] On and after July 1, 2016, to qualify for a professional educator certificate, a person who holds or has held a provisional educator certificate under subsection (d) of this section shall have completed thirty credit hours of graduate coursework at a regionally accredited institution of higher education.

~~[(k)] (h)~~ (1) Unless otherwise provided in regulations adopted under section 10-145d, in not less than three years or more than eight years after the issuance of a provisional educator certificate pursuant to subsection ~~[(g)] (e)~~ of this section and upon the statement of the

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superintendent, or the superintendent's designee, in whose school district such certificate holder was employed, or the supervisory agent of a nonpublic school approved by the State Board of Education, in whose school such certificate holder was employed, that the provisional educator certificate holder and such superintendent, or such superintendent's designee, or supervisory agent have mutually determined or approved an individual program pursuant to subdivision (2) of subsection [(j)] (g) of this section and upon the statement of such superintendent, or such superintendent's designee, or supervisory agent that such certificate holder has a record of competency in the discharge of such certificate holder's duties during such provisional period, the state board upon receipt of a proper application shall issue such certificate holder a professional educator certificate. A signed recommendation from the superintendent of schools, or the superintendent's designee, for the local or regional board of education or from the supervisory agent of a nonpublic school approved by the State Board of Education shall be evidence of competency. Such recommendation shall state that the person who holds or has held a provisional educator certificate has successfully completed at least three school years of satisfactory teaching for one or more local or regional boards of education or such nonpublic schools. Each applicant for a certificate pursuant to this subsection shall provide to the Department of Education, in such manner and form as prescribed by the commissioner, evidence that the applicant has successfully completed coursework pursuant to subsection [(h) or (j)] (g) of this section, as appropriate. Notwithstanding the provisions of this subsection, on and after July 1, 2012, experience teaching in a nonpublic school shall not be accepted for purposes of issuing a professional educator certificate, but may be accepted to renew the provisional educator certificate.

(2) Upon receipt of a proper application, the State Board of Education shall issue to a teacher from another state, territory or

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possession of the United States or the District of Columbia or the Commonwealth of Puerto Rico who (A) is nationally board certified by an organization deemed appropriate by the Commissioner of Education to issue such certifications, and (B) has taught in another state, territory or possession of the United States or the District of Columbia or the Commonwealth of Puerto Rico for a minimum of three years in the preceding ten years (i) a provisional educator certificate with the appropriate endorsement, or (ii) if such teacher has, prior to July 1, 2016, completed thirty credit hours of undergraduate or graduate coursework beyond the baccalaureate degree, [in accordance with subdivision (1) of subsection (j) of this section] and on and after July 1, 2016, completed thirty credit hours of graduate coursework, a professional educator certificate with the appropriate endorsement, subject to the provisions of subsection [(m)] (j) of this section relating to denial of applications for certification.

[(l)] (i) (1) For certified employees of local and regional boards of education, except as provided in this subdivision, each professional educator certificate shall be valid for five years and continued every five years thereafter upon the successful completion of professional development activities which shall consist of not less than ninety hours of continuing education, as determined by the local or regional board of education in accordance with this section, or documented completion of a national board certification assessment in the appropriate endorsement area, during each successive five-year period. (A) Such continuing education completed by certified employees with an early childhood nursery through grade three or an elementary endorsement who hold a position requiring such an endorsement shall include at least fifteen hours of training in the teaching of reading and reading readiness and assessment of reading performance, including methods of teaching language skills necessary for reading, reading comprehension skills, phonics and the structure of the English language during each five-year period. (B) Such continuing

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education requirement completed by certified employees with elementary, middle grades or secondary academic endorsements who hold a position requiring such an endorsement shall include at least fifteen hours of training in the use of computers in the classroom during each five-year period unless such employees are able to demonstrate technology competency, in a manner determined by their local or regional board of education, based on state-wide standards for teacher competency in the use of technology for instructional purposes adopted pursuant to section 4d-85. (C) Such continuing education completed by (i) the superintendent of schools, and (ii) employees employed in positions requiring an intermediate administrator or supervisory certificate, or the equivalent thereof, and whose administrative or supervisory duties equal at least fifty per cent of their assigned time, shall include at least fifteen hours of training in the evaluation of teachers pursuant to section 10-151b during each five-year period. (D) In the case of certified employees with a bilingual education endorsement who hold positions requiring such an endorsement (i) in an elementary school and who do not hold an endorsement in elementary education, such continuing education taken on or after July 1, 1999, shall only count toward the ninety-hour requirement if it is in language arts, reading and mathematics, and (ii) in a middle or secondary school and who do not hold an endorsement in the subject area they teach, such continuing education taken on or after July 1, 1999, shall only count toward the ninety-hour requirement if it is in such subject area or areas. On and after July 1, 2011, such continuing education shall be as determined by the local or regional board of education in full consideration of the provisions of this section and the priorities and needs related to student outcomes as determined by the State Board of Education. During each five-year period in which a professional educator certificate is valid, a holder of such certificate who has not completed the ninety hours of continuing education required pursuant to this subdivision, and who has not been employed while holding such certificate by a local or regional board of

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education for all or part of the five-year period, shall, upon application, be reissued such certificate for five years minus any period of time such holder was employed while holding such certificate by a local or regional board of education, provided there shall be only one such reissuance during each five-year period in which such certificate is valid. A certified employee of a local or regional board of education who is a member of the General Assembly and who has not completed the ninety hours of continuing education required pursuant to this subdivision for continuation of a certificate, upon application, shall be reissued a professional educator certificate for a period of time equal to six months for each year the employee served in the General Assembly during the previous five years. Continuing education hours completed during the previous five years shall be applied toward such ninety-hour requirement which shall be completed during the reissuance period in order for such employee to be eligible to have a certificate continued. The cost of the professional development activities required under this subsection for certified employees of local or regional boards of education shall be shared by the state and local or regional boards of education, except for those activities identified by the State Board of Education as the responsibility of the certificate holder. Each local and regional board of education shall make available, annually, at no cost to its certified employees not fewer than eighteen hours of professional development activities for continuing education credit. Such activities may be made available by a board of education directly, through a regional educational service center or cooperative arrangement with another board of education or through arrangements with any continuing education provider approved by the State Board of Education. Local and regional boards of education shall grant continuing education credit for professional development activities which the certified employees of the board of education are required to attend, professional development activities offered in accordance with the plan developed pursuant to subsection (b) of section 10-220a, as amended by this act, or professional development

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activities which the board may approve for any individual certified employee. Each board of education shall determine the specific professional development activities to be made available with the advice and assistance of the teachers employed by such board, including representatives of the exclusive bargaining unit for such teachers pursuant to section 10-153b, and on and after July 1, 2011, in full consideration of priorities and needs related to student outcomes as determined by the State Board of Education. The time and location for the provision of such activities shall be in accordance with either an agreement between the board of education and the exclusive bargaining unit pursuant to said section 10-153b or, in the absence of such agreement or to the extent such agreement does not provide for the time and location of all such activities, in accordance with a determination by the board of education.

(2) Each local and regional board of education shall attest to the state Department of Education, in such form and at such time as the commissioner shall prescribe, that professional development activities for which continuing education credit is granted by the board: (A) Are planned in response to identified needs, (B) are provided by qualified instructional personnel, as appropriate, (C) have the requirements for participation in the activity shared with participants before the commencement of the activity, (D) are evaluated in terms of its effectiveness and its contribution to the attainment of school or district-wide goals, and (E) are documented in accordance with procedures established by the State Board of Education. At the end of each five-year period each professional educator shall attest to the state Department of Education, in such form and at such time as the commissioner shall prescribe, that the professional educator has successfully completed ninety hours of continuing education.

(3) In the event that the state Department of Education notifies the local or regional board of education that the provisions of subdivision

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(2) of this subsection have not been met and that specific corrective action is necessary, the local or regional board of education shall take such corrective action immediately. The department shall not invalidate continuing education credit awarded prior to such notice.

[(m)] (j) (1) The State Board of Education may revoke any certificate, authorization or permit issued pursuant to sections 10-144o to 10-149, inclusive, as amended by this act, for any of the following reasons: (A) The holder of the certificate, authorization or permit obtained such certificate, authorization or permit through fraud or misrepresentation of a material fact; (B) the holder has persistently neglected to perform the duties for which the certificate, authorization or permit was granted; (C) the holder is professionally unfit to perform the duties for which the certificate, authorization or permit was granted; (D) the holder is convicted in a court of law of a crime involving moral turpitude or of any other crime of such nature that in the opinion of the board continued holding of a certificate, authorization or permit by the person would impair the standing of certificates, authorizations or permits issued by the board; or (E) other due and sufficient cause. The State Board of Education shall revoke any certificate, authorization or permit issued pursuant to said sections if the holder is found to have intentionally disclosed specific questions or answers to students or otherwise improperly breached the security of any administration of a state-wide examination pursuant to section 10-14n. In any revocation proceeding pursuant to this section, the State Board of Education shall have the burden of establishing the reason for such revocation by a preponderance of the evidence. Revocation shall be in accordance with procedures established by the State Board of Education pursuant to chapter 54.

(2) When the Commissioner of Education is notified, pursuant to section 10-149a or 17a-101i, as amended by this act, that a person holding a certificate, authorization or permit issued by the State Board

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of Education under the provisions of sections 10-144o to 10-149, inclusive, as amended by this act, has been convicted of (A) a capital felony, pursuant to section 53a-54b, (B) arson murder, pursuant to section 53a-54d, (C) a class A felony, (D) a class B felony, except a violation of section 53a-122, 53a-252 or 53a-291, (E) a crime involving an act of child abuse or neglect as described in section 46b-120, or (F) a violation of section 53-21, 53-37a, 53a-49, 53a-60b, 53a-60c, 53a-71, 53a-72a, 53a-72b, 53a-73a, 53a-88, 53a-90a, 53a-99, 53a-103a, 53a-181c, 53a-191, 53a-196, 53a-196c, 53a-216, 53a-217b or 21a-278 or subsection (a) of section 21a-277, any certificate, permit or authorization issued by the State Board of Education and held by such person shall be deemed revoked and the commissioner shall notify such person of such revocation, provided such person may request reconsideration pursuant to regulations adopted by the State Board of Education, in accordance with the provisions of chapter 54. As part of such reconsideration process, the board shall make the initial determination as to whether to uphold or overturn the revocation. The commissioner shall make the final determination as to whether to uphold or overturn the revocation.

(3) The State Board of Education may deny an application for a certificate, authorization or permit for any of the following reasons: (A) The applicant seeks to obtain a certificate, authorization or permit through fraud or misrepresentation of a material fact; (B) the applicant has been convicted in a court of law of a crime involving moral turpitude or of any other crime of such nature that in the opinion of the board issuance of a certificate, authorization or permit would impair the standing of certificates, authorizations or permits issued by the board; or (C) other due and sufficient cause. Any applicant denied a certificate, authorization or permit shall be notified in writing of the reasons for denial. Any applicant denied a certificate, authorization or permit may request a review of such denial by the State Board of Education.

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(4) A person whose certificate, permit or authorization has been revoked may not be employed in a public school during the period of revocation.

(5) Any local or regional board of education or private special education facility approved by the commissioner shall report to the commissioner when an employee, who holds a certificate, permit or authorization, is dismissed pursuant to subdivision (3) of subsection (d) of section 10-151.

[(n)] (k) [Within] Not later than thirty days after receipt of notification, any initial educator certificate holder who is not granted a provisional educator certificate, [or any provisional certificate holder who is not granted a standard certificate,] or any provisional educator [or provisional teaching certificate] holder who is not granted a professional educator certificate, or any professional educator certificate holder who is not granted a continuation, under the provisions of sections 10-145a to 10-145d, inclusive, as amended by this act, and 10-146b, as amended by this act, may appeal to the State Board of Education for reconsideration. Said board shall review the records of the appropriate certification period, [hold a hearing within sixty days if such] and, if a hearing is requested in writing, hold such hearing not later than sixty days after such request and render a written decision [within thirty days] not later than thirty days after the conclusion of such hearing. Any teacher aggrieved by the decision of said board may appeal [therefrom] from such decision in accordance with the provisions of section 4-183 and such appeal shall be privileged with respect to assignment [thereof] of such appeal.

[(o)] (l) For the purposes of this section "supervisory agent" means the superintendent of schools or the principal, administrator or supervisor designated by such superintendent to provide direct supervision to a provisional certificate holder.

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[(p)] (m) Upon application to the State Board of Education for the issuance of any certificate in accordance with this section and section 10-145d there shall be paid to the board by or on behalf of the applicant a nonreturnable fee of one hundred dollars in the case of an applicant for an initial educator certificate, two hundred dollars in the case of an applicant for a provisional educator certificate and three hundred dollars in the case of an applicant for a professional educator certificate, except that applicants for certificates for teaching adult education programs mandated under subdivision (1) of subsection (a) of section 10-69 shall pay a fee of fifty dollars; persons eligible for a certificate or endorsement for which the fee is less than that applied for shall receive an appropriate refund; persons not eligible for any certificate shall receive a refund of the application fee minus fifty dollars; and persons holding standard or permanent certificates on July 1, 1989, who apply for professional certificates to replace the standard or permanent certificates, shall not be required to pay such a fee. Upon application to the State Board of Education for the issuance of a subject area endorsement there shall be paid to the board by or on behalf of such applicant a nonreturnable fee of fifty dollars. With each request for a duplicate copy of any such certificate or endorsement there shall be paid to the board a nonreturnable fee of twenty-five dollars.

Sec. 3. Section 10-145f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2009*):

(a) No person shall be formally admitted to a State Board of Education approved teacher preparation program until such person has achieved satisfactory scores on [all components, in one administration, or, on and after January 1, 1995, has achieved satisfactory scores on all components of] the state reading, writing and mathematics competency examination prescribed by and administered under the direction of the [board] State Board of Education, or has

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[achieved a combined score of one thousand or more on a Scholastic Aptitude Test administered on or before March 31, 1995, or a combined score of eleven hundred or more on a Scholastic Aptitude Test administered on or after April 1, 1995, or an equivalent score as determined by the board on a test deemed equivalent by the board, provided, if the Scholastic Aptitude Test or the equivalent test was a non-English-language version, the person shall demonstrate a satisfactory level of English proficiency as determined by the board on a test prescribed by the board. Such competency examination shall be conducted at least twice during each year] qualified for a waiver of such test based on criteria established by the State Board of Education.

(b) (1) [Except as otherwise provided in subsection (i) of section 10-145b, any] Any person who does not hold a valid certificate pursuant to section 10-145b, as amended by this act, shall (A) achieve satisfactory scores on [all components, in one administration, or, on and after January 1, 1995, satisfactory scores on all components of] the state reading, writing and mathematics competency examination prescribed by and administered under the direction of the [board] State Board of Education, or [achieve a combined score of one thousand or more on a Scholastic Aptitude Test administered on or before March 31, 1995, or a combined score of eleven hundred or more on a Scholastic Aptitude Test administered on or after April 1, 1995, or an equivalent score as determined by the board on a test deemed equivalent by the board, provided, if the Scholastic Aptitude Test or the equivalent test is a non-English-language version, the person shall demonstrate a satisfactory level of English proficiency as determined by the board on a test prescribed by the board] qualify for a waiver of such test based on criteria approved by the State Board of Education, and (B) achieve a satisfactory evaluation on the appropriate State Board of Education approved subject area assessment in order to be eligible for a certificate pursuant to said section unless such assessment has not been approved by the State Board of Education at the time of

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application, in which case the applicant shall not be denied a certificate solely because of the lack of an evaluation on such assessment. A person who holds a valid school administrator certificate in another state that is at least equivalent to an initial educator certificate, pursuant to section 10-145b, as amended by this act, as determined by the State Board of Education, and has successfully completed three years of experience as a school administrator in a public school in another state or in a nonpublic school approved by the appropriate state board of education during the ten-year period prior to the date of application for a certificate in a school administration endorsement area shall not be required to meet the state reading, writing and mathematics competency examination.

(2) Any person applying for an additional certification endorsement shall achieve a satisfactory evaluation on the appropriate State Board of Education approved subject area assessment in order to be eligible for such additional endorsement, unless such assessment has not been approved by the State Board of Education at the time of application, in which case the applicant shall not be denied the additional endorsement solely because of the lack of an evaluation on such assessment. [The State Board of Education shall complete the development of such area assessments for all appropriate endorsements not later than December 1, 1990.]

(3) [(A)] On and after July 1, 1992, any teacher who held a valid teaching certificate but whose certificate lapsed and who had completed all requirements for the issuance of a new certificate pursuant to section 10-145b, as amended by this act, except for filing an application for such certificate, prior to the date on which the lapse occurred, may file, within one year of the date on which the lapse occurred, an application with the Commissioner of Education for the issuance of such certificate. Upon the filing of such an application, the commissioner may grant such certificate and such certificate shall be

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retroactive to the date on which the lapse occurred, provided the commissioner finds that the lapse of the certificate occurred as a result of a hardship or extenuating circumstances beyond the control of the applicant. If such teacher has attained tenure and is reemployed by the same board of education in any equivalent unfilled position for which the person is qualified as a result of the issuance of a certificate pursuant to this subdivision, the lapse period shall not constitute a break in employment for such person reemployed and shall be used for the purpose of calculating continuous employment pursuant to section 10-151. If such teacher has not attained tenure, the time unemployed due to the lapse of a certificate shall not be counted toward tenure, except that if such teacher is reemployed by the same board of education as a result of the issuance of a certificate pursuant to this subdivision, such teacher may count the previous continuous employment immediately prior to the lapse towards tenure. Using information provided by the Teachers' Retirement Board, the Department of Education shall annually notify each local or regional board of education of the name of each teacher employed by such board of education whose provisional certificate will expire during the period of twelve months following such notice. Upon receipt of such notice the superintendent of each local and regional board of education shall notify each such teacher in writing, at such teacher's last known address, that the teacher's provisional certificate will expire. [(B) Notwithstanding the provisions of this subdivision to the contrary, for any teacher employed by a local or regional board of education or on authorized leave from such a board of education, during the 1987-1988 school year, (i) whose teaching certificate lapsed on or after January 15, 1988, (ii) who successfully completed the competency examination in accordance with the provisions of this section subsequent to the date on which the lapse occurred, (iii) whose teaching certificate was reissued subsequent to the date on which the lapse occurred, and (iv) who was reemployed by the same board of education during the 1988-1989 school year, such lapse period shall not constitute a break in

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employment for such teacher and shall be used for the purpose of calculating continuous employment pursuant to section 10-151.]

(4) Notwithstanding the provisions of this subsection to the contrary, to be eligible for a certificate to teach subjects for which a bachelor's degree is not required, any applicant who is otherwise eligible for certification in such endorsement areas shall be entitled to a certificate without having met the requirements of the competency examination and subject area assessment pursuant to this subsection for a period not to exceed two years, except that for a certificate to teach skilled trades or trade-related or occupational subjects, the commissioner may waive the requirement that the applicant take the competency examination. The commissioner may, upon the showing of good cause, extend the certificate.

(c) Notwithstanding the provisions of this section and section 10-145b, as amended by this act, the following persons shall be eligible for a nonrenewable temporary certificate: (1) A person who has resided in a state other than Connecticut during the year immediately preceding application for certification in Connecticut and meets the requirements for certification, excluding successful completion of the competency examination and subject matter assessment, if such person holds current teacher certification in a state other than Connecticut and has completed at least one year of successful teaching in another state in a public school or a nonpublic school approved by the appropriate state board of education, (2) a person who has graduated from a teacher preparation program at a college or university outside of the state and regionally accredited, and meets the requirements for certification, excluding successful completion of the competency examination and subject matter assessment, and (3) a person hired by a charter school after July first in any school year for a teaching position that school year, provided the person hired after said date could reasonably be expected to complete the requirements prescribed in subparagraphs

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(B) and (C) of subdivision (1) of subsection (c) of section 10-145b, [by the commencement of the school year following the school year in which such person held such temporary certificate] as amended by this act. The nonrenewable temporary certificate shall be valid for one year from the date it is issued. [Any board of education employing a person who holds a nonrenewable temporary certificate issued pursuant to the provisions of subdivision (2) of this subsection shall provide a program to assist each such person who has not successfully completed the competency examination by January fifteenth of the school year in which such certificate was issued. Said program, developed in consultation with the Department of Education, shall include academic and classroom support service components. Each such person who does not successfully complete said examination by said January fifteenth shall participate in said program.]

(d) Any person who is first issued a certificate valid after July 1, 1989, or who is reissued a certificate after July 1, 1989, shall, except as otherwise provided in this subsection, be required to achieve a satisfactory evaluation on a professional knowledge clinical assessment not later than the end of the second year of teaching in a public school if hired prior to January first or, if hired on or after January first, not later than the end of the second full school year of teaching following the year in which such person was hired in order to retain the certificate. The commissioner (1) may waive the requirement that such satisfactory evaluation on a professional knowledge clinical assessment be achieved upon a determination that such assessment is not valid for the person's teaching assignment, or (2) upon a showing of good cause, may extend the time limit for the assessment for a period of time not exceeding two years. The requirement of a clinical assessment shall not apply to any such person who has completed at least three years of successful teaching in a public school or a nonpublic school approved by the appropriate state board of education during the ten years immediately preceding the date of

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application or who successfully taught with a provisional teaching certificate during the year immediately preceding an application for a provisional educator certificate as an employee of a local or regional board of education or facility approved for special education by the State Board of Education. Notwithstanding the provisions of this subsection, the State Board of Education may reissue an initial educator certificate to a person who held such certificate and did not achieve a satisfactory evaluation on a professional knowledge clinical assessment provided the person submits evidence demonstrating significant intervening study and experience, in accordance with standards established by the State Board of Education.

(e) The board shall, by regulation, set all fees to be charged to each person who applies to take the State Board of Education administered competency examination, the subject area assessment or the professional knowledge clinical assessment, which shall be not less than seventy-five dollars for the competency examination and subject area assessment for the elementary level. Notwithstanding the provisions of this section to the contrary, the Commissioner of Education may waive any fee under this section due to a candidate's inability to pay.

(f) Notwithstanding the provisions of this section, any person who holds a valid teaching certificate that is at least equivalent to an initial educator certificate, as determined by the State Board of Education, and such certificate is issued by a state other than Connecticut in the subject area or endorsement area for which such person is seeking certification in Connecticut shall not be required to successfully complete the competency examination and subject matter assessment pursuant to this section, if such person has either (1) successfully completed at least three years of teaching experience in the subject area for which such person is seeking certification in Connecticut in the past ten years in a public school or a nonpublic school approved by the

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appropriate state board of education in such other state, or (2) holds a master's degree or higher in the subject area for which such person is seeking certification in Connecticut.

Sec. 4. Subsection (d) of section 10-145h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2009*):

(d) (1) Notwithstanding subsection (a) of this section, for the period from July 1, 2005, to ~~July 1, 2009~~ June 30, 2010, inclusive, the State Board of Education shall require an applicant for certification as a bilingual education teacher to demonstrate competency in English and the other language of instruction as a condition of certification. Competency in English shall be demonstrated by successful passage of the oral proficiency test in English and an essential skills test approved by the State Board of Education. Oral and written competency in the other language shall be demonstrated by passage of an examination, if available, of comparable difficulty as specified by the Department of Education. If such an examination is not available, competency shall be demonstrated by an appropriate alternative method as specified by the department.

(2) Notwithstanding subsection (b) of this section, for the period from July 1, 2005, to ~~July 1, 2009~~ June 30, 2010, inclusive, the State Board of Education shall require persons seeking to become (A) elementary level bilingual education teachers to be certified in (i) bilingual education and achieve a satisfactory evaluation on the appropriate State Board of Education approved assessment for elementary education, or (ii) elementary education and have completed six semester hours of credit in English as a second language course work as approved by the State Board of Education, and (B) secondary level bilingual education teachers to be certified in (i) bilingual education and achieve a satisfactory evaluation on the appropriate State Board of Education approved subject area

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assessment, or (ii) the subject area they will teach and have completed six semester hours of credit in English as a second language course work as approved by the State Board of Education. Such certificates shall be valid for subject-specific bilingual education. Certification in elementary bilingual education shall be valid for grades kindergarten to eight, inclusive, and certification in secondary subject-specific bilingual education shall be valid for grades seven to twelve, inclusive.

Sec. 5. Section 10-145i of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2009*):

Notwithstanding the provisions of sections 10-144o to 10-146b, inclusive, as amended by this act, and 10-149, the State Board of Education shall not issue or reissue any certificate, authorization or permit pursuant to said sections if (1) the applicant for such certificate, authorization or permit has been convicted of any of the following: (A) A capital felony, as defined in section 53a-54b; (B) arson murder, as defined in section 53a-54d; (C) any class A felony; (D) any class B felony except a violation of section 53a-122, 53a-252 or 53a-291; (E) a crime involving an act of child abuse or neglect as described in section 46b-120; or (F) a violation of section 53-21, 53-37a, 53a-49, 53a-60b, 53a-60c, 53a-71, 53a-72a, 53a-72b, 53a-73a, 53a-88, 53a-90a, 53a-99, 53a-103a, 53a-181c, 53a-191, 53a-196, 53a-196c, 53a-216, 53a-217b or 21a-278 or a violation of subsection (a) of section 21a-277, and (2) the applicant completed serving the sentence for such conviction within the five years immediately preceding the date of the application.

Sec. 6. Subsection (a) of section 10-146b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2009*):

(a) Any person who holds a provisional educator or provisional teaching certificate or held such certificate within one year of application for extension of such certificate and is unable to complete

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the requirements for a professional educator certificate within the period required, or any person who holds a professional educator certificate or held such certificate within one year of application for extension of such certificate and is unable to complete the requirements for continuation of such professional educator certificate within the period required may appeal to [said board] the commissioner for an extension of the applicable period for good cause. [and said board, if it] If the commissioner finds a hardship exists in the case of such person or [if it] finds an emergency situation because of a shortage of certified teachers in the school district where such person is employed, the commissioner may extend such certificate for no more than twenty-four months, effective as of or retroactive to the expiration date of such certificate, [such applicable period within which such person shall complete such requirements for such time as to said board seems reasonable,] provided not more than one extension shall be granted to such person and, provided further, the record of such person is satisfactory under the provisions of sections 10-145a to 10-145d, inclusive, as amended by this act, and this section. For the purposes of section 10-151, any lapse period pursuant to this section shall not constitute a break in employment for such person if reemployed and shall be used for the purpose of calculating continuous employment.

Sec. 7. Section 10-146c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2009*):

[The Interstate Agreement on Qualification of Educational Personnel is hereby enacted into law and entered into by this state with all states legally joining therein, in the form substantially as follows:

Article I

Purpose, Findings, and Policy

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1. The states party to this agreement, desiring by common action to improve their respective school systems by utilizing the teacher or other professional educational person wherever educated, declare that it is the policy of each of them, on the basis of cooperation with one another, to take advantage of the preparation and experience of such persons wherever gained, thereby serving the best interests of society, of education, and of the teaching profession. It is the purpose of this agreement to provide for the development and execution of such programs of cooperation as will facilitate the movement of teachers and other professional educational personnel among the states party to it, and to authorize specific interstate educational personnel contracts to achieve that end.

2. The party states find that included in the large movement of population among all sections of the nation are many qualified educational personnel who move for family and other personal reasons but who are hindered in using their professional skill and experience in their new locations. Variations from state to state in requirements for qualifying educational personnel discourage such personnel from taking the steps necessary to qualify in other states. As a consequence, a significant number of professionally prepared and experienced educators is lost to our school systems. Facilitating the employment of qualified educational personnel, without reference to their states of origin, can increase the available educational resources. Participation in this compact can increase the availability of educational manpower.

Article II  
Definitions

As used in this agreement and contracts made pursuant to it, unless the context clearly requires otherwise:

1. "Educational personnel" means persons who must meet

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requirements pursuant to state law as a condition of employment in educational programs.

2. "Designated state official" means the education official of a state selected by that state to negotiate and enter into, on behalf of his state, contracts pursuant to this agreement.

3. "Accept", or any variant thereof, means to recognize and give effect to one or more determinations of another state relating to the qualifications of educational personnel in lieu of making or requiring a like determination that would otherwise be required by or pursuant to the laws of a receiving state.

4. "State" means a state, territory, or possession of the United States; the District of Columbia; or the Commonwealth of Puerto Rico.

5. "Originating state" means a state (and the subdivisions thereof, if any) whose determination that certain educational personnel are qualified to be employed for specific duties in schools is acceptable in accordance with the terms of a contract made pursuant to Article III.

6. "Receiving state" means a state (and the subdivisions thereof) which accept educational personnel in accordance with the terms of a contract made pursuant to Article III.

Article III

Interstate Educational Personnel Contracts

1. The designated state official of a party state may make one or more contracts on behalf of his state with one or more other party states providing for the acceptance of educational personnel. Any such contract for the period of its duration shall be applicable to and binding on the states whose designated state officials enter into it, and the subdivisions of those states, with the same force and effect as if incorporated in this agreement. A designated state official may enter

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into a contract pursuant to this article only with states in which he finds that there are programs of education, certification standards or other acceptable qualifications that assure preparation or qualification of educational personnel on a basis sufficiently comparable, even though not identical to that prevailing in his own state.

2. Any such contract shall provide for:

(a) Its duration.

(b) The criteria to be applied by an originating state in qualifying educational personnel for acceptance by a receiving state.

(c) Such waivers, substitutions, and conditional acceptances as shall aid the practical effectuation of the contract without sacrifice of basic educational standards.

(d) Any other necessary matters.

3. No contract made pursuant to this agreement shall be for a term longer than five years but any such contract may be renewed for like or lesser periods.

4. Any contract dealing with acceptance of educational personnel on the basis of their having completed an educational program shall specify the earliest date or dates on which originating state approval of the program or programs involved can have occurred. No contract made pursuant to this agreement shall require acceptance by a receiving state of any persons qualified because of successful completion of a program prior to January 1, 1954.

5. The certification or other acceptance of a person who has been accepted pursuant to the terms of a contract shall not be revoked or otherwise impaired because the contract has expired or been terminated. However, any certificate or other qualifying document

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may be revoked or suspended on any ground which would be sufficient for revocation or suspension of a certificate or other qualifying document initially granted or approved in the receiving state.

6. A contract committee composed of the designated state officials of the contracting states or their representatives shall keep the contract under continuous review, study means of improving its administration, and report no less frequently than once a year to the heads of the appropriate education agencies of the contracting states.

Article IV

Approved and Accepted Programs

1. Nothing in this agreement shall be construed to repeal or otherwise modify any law or regulation of a party state relating to the approval of programs of educational preparation having effect solely on the qualification of educational personnel within that state.

2. To the extent that contracts made pursuant to this agreement deal with the educational requirements for the proper qualification of educational personnel, acceptance of a program of educational preparation shall be in accordance with such procedures and requirements as may be provided in the applicable contract.

Article V

Interstate Cooperation

The party states agree that:

1. They will, so far as practicable, prefer the making of multilateral contracts pursuant to Article III of this agreement.

2. They will facilitate and strengthen cooperation in interstate certification and other elements of educational personnel qualification

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and for this purpose shall cooperate with agencies, organizations, and associations interested in certification and other elements of educational personnel qualification.

Article VI  
Agreement Evaluation

The designated state officials of any party states may meet from time to time as a group to evaluate progress under the agreement, and to formulate recommendations for changes.

Article VII  
Other Arrangements

Nothing in this agreement shall be construed to prevent or inhibit other arrangements or practices of any party state or states to facilitate the interchange of educational personnel.

Article VIII  
Effect and Withdrawal

1. This agreement shall become effective when enacted into law by two states. Thereafter it shall become effective as to any state upon its enactment of this agreement.

2. Any party state may withdraw from this agreement by enacting a statute repealing the same, but no such withdrawal shall take effect until one year after the Governor of the withdrawing state has given notice in writing of the withdrawal to the Governors of all other party states.

3. No withdrawal shall relieve the withdrawing state of any obligation imposed upon it by a contract to which it is a party. The duration of contracts and the methods and conditions of withdrawal therefrom shall be those specified in their terms.

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Article IX

Construction and Severability

This agreement shall be liberally construed so as to effectuate the purposes thereof. The provisions of this agreement shall be severable and if any phrase, clause, sentence, or provision of this agreement is declared to be contrary to the constitution of any state or of the United States, or the application thereof to any government, agency, person, or circumstances is held invalid, the validity of the remainder of this agreement and the applicability thereof to any government, agency, person, or circumstance shall not be affected thereby. If this agreement shall be held contrary to the constitution of any state participating therein, the agreement shall remain in full force and effect as to the state affected as to all severable matters.] The Commissioner of Education, or the commissioner's designee, as agent for the state may establish or join interstate agreements to facilitate the certification of qualified educators, provided candidates for certification, at a minimum, hold a bachelor's degree from a regionally accredited college or university, fulfill assessment requirements as approved by the State Board of Education and meet all conditions as mandated by such interstate agreement.

Sec. 8. Section 10-221d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2009*):

(a) [On and after July 1, 1994, each] Each local and regional board of education shall (1) require each applicant for a position in a public school to state whether such person has ever been convicted of a crime or whether criminal charges are pending against such person at the time of such person's application, (2) require, subject to the provisions of subsection (d) of this section, each person hired by the board after July 1, 1994, to submit to state and national criminal history records checks within thirty days from the date of employment and may

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require, subject to the provisions of subsection (d) of this section, any person hired prior to said date to submit to state and national criminal history records checks, and (3) require each worker (A) placed within a school under a public assistance employment program, [or] (B) employed by a provider of supplemental services pursuant to the No Child Left Behind Act, P.L. 107-110, or (C) on and after July 1, 2010, in a nonpaid, noncertified position completing preparation requirements for the issuance of an educator certificate pursuant to chapter 166, who performs a service involving direct student contact to submit to state and national criminal history records checks within thirty days from the date such worker begins to perform such service. The criminal history records checks required by this subsection shall be conducted in accordance with section 29-17a. If the local or regional board of education receives notice of a conviction of a crime which has not previously been disclosed by such person to the board, the board may (i) terminate the contract of a certified employee, in accordance with the provisions of section 10-151, and (ii) dismiss a noncertified employee provided such employee is notified of the reason for such dismissal, is provided the opportunity to file with the board, in writing, any proper answer to such criminal conviction and a copy of the notice of such criminal conviction, the answer and the dismissal order are made a part of the records of the board. In addition, if the local or regional board of education receives notice of a conviction of a crime by a person (I) holding a certificate, authorization or permit issued by the State Board of Education, [or] (II) employed by a provider of supplemental services, or (III) on and after July 1, 2010, in a nonpaid, noncertified position completing preparation requirements for the issuance of an educator certificate pursuant to chapter 106, the local or regional board of education shall send such notice to the State Board of Education. The supervisory agent of a private school may require any applicant for a position in such school or any employee of such school to submit to state and national criminal history records checks in accordance with the procedures described in this subsection.

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(b) If a local or regional board of education, endowed or incorporated academy approved by the State Board of Education pursuant to section 10-34, or special education facility approved by the State Board of Education pursuant to section 10-76d requests, a regional educational service center shall arrange for the fingerprinting of any person required to submit to state and national criminal history records checks pursuant to this section or for conducting any other method of positive identification required by the State Police Bureau of Identification or the Federal Bureau of Investigation and shall forward such fingerprints or other positive identifying information to the State Police Bureau of Identification which shall conduct criminal history records checks in accordance with section 29-17a. Such regional educational service centers shall provide the results of such checks to such local or regional board of education, endowed or incorporated academy or special education facility. Such regional educational service centers shall provide such results to any other local or regional board of education or regional educational service center upon the request of such person.

(c) State and national criminal history records checks for substitute teachers completed within one year prior to the date of employment with a local or regional board of education and submitted to the employing board of education shall meet the requirements of subdivision (2) of subsection (a) of this section. A local or regional board of education shall not require substitute teachers to submit to state and national criminal history records checks pursuant to subdivision (2) of subsection (a) of this section if they are continuously employed by such local or regional board of education. For purposes of this section, substitute teachers shall be deemed to be continuously employed by a local or regional board of education if they are employed at least one day of each school year by such local or regional board of education.

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(d) (1) The provisions of this section shall not apply to a person required to submit to a criminal history records check pursuant to the provisions of subsection (d) of section 14-44.

(2) The provisions of this section shall not apply to a student employed by the local or regional school district in which the student attends school.

(3) The provisions of subsection (a) of this section requiring state and national criminal history records checks shall, at the discretion of a local or regional board of education, apply to a person employed by a local or regional board of education as a teacher for a noncredit adult class or adult education activity, as defined in section 10-67, who is not required to hold a teaching certificate pursuant to section 10-145b, as amended by this act, for his or her position.

(e) The State Board of Education shall submit, periodically, a database of applicants for an initial issuance of certificate, authorization or permit pursuant to sections 10-144o to 10-149, inclusive, as amended by this act, to the State Police Bureau of Identification. The State Police Bureau of Identification shall conduct a state criminal history records check against such database and notify the State Board of Education of any such applicant who has a criminal conviction. The State Board of Education shall not issue a certificate, authorization or permit until it receives and evaluates the results of such check and may deny an application in accordance with the provisions of subsection [(m)] (j) of section 10-145b, as amended by this act.

(f) The State Board of Education shall submit, periodically, a database of all persons who hold certificates, authorizations or permits to the State Police Bureau of Identification. The State Police Bureau of Identification shall conduct a state criminal history records check against such database and shall notify the State Board of Education of

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any such person who has a criminal conviction. The State Board of Education may revoke the certificate, authorization or permit of such person in accordance with the provisions of subsection [(m)] (j) of section 10-145b, as amended by this act.

Sec. 9. Subdivision (7) of section 10-144o of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2009*):

(7) "Professional educator certificate" means a license to teach issued on or after July 1, 1989, initially to a person who has successfully completed not less than three school years of teaching in a public school or nonpublic school approved by the State Board of Education while holding a provisional educator or provisional teaching certificate and has successfully completed not fewer than thirty semester hours of credit beyond a bachelor's degree. Said certificate shall be continued every five years after issuance upon the successful completion of [not less than ninety hours of] continuing education, in accordance with subsection [(l)] (i) of section 10-145b, as amended by this act, during each successive five-year period. The successful completion of continuing education units shall only be required for certified employees of local and regional boards of education.

Sec. 10. (NEW) (*Effective July 1, 2009*) On and after July 1, 2010, the State Board of Education shall allow an applicant for certification to teach in a subject shortage area pursuant to section 10-8b of the general statutes, or a certified employee seeking to teach in such a subject shortage area to substitute achievement of an excellent score, as determined by the State Board of Education, on any appropriate State Board of Education approved subject area assessment for the subject area requirements for certification pursuant to section 10-145f of the general statutes, as amended by this act.

Sec. 11. (NEW) (*Effective July 1, 2009*) (a) Subject to the provisions of

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subsection (g) of this section, the State Board of Education, upon the request of a local or regional board of education or a regional educational service center, may issue an adjunct instructor permit to any applicant with specialized training, experience or expertise in the arts, as defined in subsection (a) of section 10-16b of the general statutes. Such permit shall authorize a person to hold a part-time position, of no more than fifteen classroom instructional hours per week at a part-time interdistrict arts magnet high school in existence on July 1, 2009, and approved pursuant to section 10-264l of the general statutes, as amended by this act, or the Cooperative Arts and Humanities Magnet High School, as a teacher of art, music, dance, theater or any other subject related to such holder's artistic specialty. Except as provided in subsection (g) of this section, such applicant shall (1) hold a bachelor's degree from an institution of higher education accredited by the Board of Governors of Higher Education or regionally accredited, (2) have a minimum of three years of work experience in the arts, or one year of work experience and two years of specialized schooling related to such applicant's artistic specialty, and (3) attest to the State Board of Education that he or she has at least one hundred eighty hours of cumulative experience working with children, in a private or public setting, including, but not limited to, afterschool programs, group lessons, children's theater, dance studio lessons and artist-in-residence programs, or at least two years experience as a full-time faculty member at an institution of higher education.

(b) During the period of employment in such part-time interdistrict arts magnet high school or the Cooperative Arts and Humanities Magnet High School, a person holding an adjunct instructor permit shall be under the supervision of the superintendent of schools or of a principal, administrator or supervisor designated by such superintendent who shall regularly observe, guide and evaluate the performance of assigned duties by such holder of an adjunct instructor

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permit.

(c) Each such adjunct instructor permit shall be valid for three years and may be renewed by the Commissioner of Education for good cause upon the request of the superintendent of schools for the district employing such person or the regional educational service center operating such part-time interdistrict arts magnet high school or the Cooperative Arts and Humanities Magnet High School employing such person.

(d) Any board of education or regional educational service center employing a person who holds an adjunct instructor permit issued under this section shall provide a program to assist each such person. Such program, developed in consultation with the Department of Education, shall include academic and classroom support service components.

(e) No person holding an adjunct instructor permit shall fill a position that will result in the displacement of any person holding a teaching certificate under section 10-145b of the general statutes, as amended by this act, who is already employed at such part-time interdistrict arts magnet high school or the Cooperative Arts and Humanities Magnet High School.

(f) Any person holding an adjunct instructor permit pursuant to this section shall not be deemed to be eligible for membership in the teachers' retirement system solely by reason of such permit, provided any such person who holds a regular teacher's certificate issued by the State Board of Education shall not be excluded from membership in said system.

(g) Any person who, prior to July 1, 2009, was employed as a teacher of art, music, dance, theater or any other subject related to such person's artistic specialty in a part-time interdistrict arts magnet high

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school approved pursuant to section 10-264l of the general statutes, as amended by this act, or the Cooperative Arts and Humanities Magnet High School for at least one year shall qualify for and be granted an adjunct instructor permit.

Sec. 12. (NEW) (*Effective July 1, 2009*) On or before January 1, 2010, the Attorney General, in consultation with the Commissioners of Education and Higher Education, shall report, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committee of the General Assembly having cognizance of matters relating to education on any investigation conducted regarding behavior analysis services for children with autism spectrum disorder performed in the state. Such report shall include any findings based on such investigation, recommendations for statutory changes and recommendations for an appropriate in-state certifying agency for behavioral analysis services.

Sec. 13. (NEW) (*Effective July 1, 2009*) (a) The State Board of Education, upon receipt of a proper application, shall issue a resident teacher certificate to any applicant in the certification endorsement areas of elementary education, middle grades education, secondary academic subjects, special subjects or fields, special education, early childhood education and administration and supervision, who (1) holds a bachelor's degree from an institution of higher education accredited by the Board of Governors of Higher Education or regionally accredited, (2) possesses a minimum undergraduate college cumulative grade point average of 3.00, (3) has achieved a qualifying score, as determined by the State Board of Education, on the appropriate State Board of Education approved subject area assessment, and (4) is enrolled in an alternate route to certification program, approved by the State Board of Education, that meets the guidelines established by the No Child Left Behind Act, P.L. 107-110.

(b) Each such resident teacher certificate shall be valid for one year,

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and may be extended by the Commissioner of Education for an additional one year for good cause upon the request of the superintendent of schools for the school district employing such person.

(c) During the period of employment in a public school, a person holding a resident teacher certificate shall be the teacher of record and be under the supervision of the superintendent of schools or of a principal, administrator or supervisor designated by such superintendent who shall regularly observe, guide and evaluate the performance of assigned duties by such holder of a resident teacher certificate.

(d) Notwithstanding the provisions of subsection (a) of section 10-145b of the general statutes, as amended by this act, on and after July 1, 2009, the State Board of Education, upon receipt of a proper application, shall issue an initial educator certificate, which shall be valid for three years, to any person who (1) successfully completed an alternate route to certification program, approved by the State Board of Education, that meets the guidelines established by the No Child Left Behind Act, P.L. 107-110, (2) taught successfully as the teacher of record while holding a resident teacher certificate, and (3) meets the requirements established in subsection (b) of section 10-145f of the general statutes, as amended by this act.

Sec. 14. Section 10-145j of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2009*):

(a) [The] Prior to July 1, 2011, the Department of Education may permit qualified graduates of a national corps of teachers' training program, approved by the Commissioner of Education, to be employed under a durational shortage area permit in public schools located in the towns of Bridgeport, Hartford and New Haven and state charter schools located in Stamford.

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(b) Such persons may only be employed in a position at the elementary or secondary level where no certified teacher suitable to the position is available. Such persons shall (1) be enrolled in a planned program leading to certification in the subject area they are teaching, or enrolled in an approved alternate route to certification program or a program with state approval pending and that meets the standards for an alternate route to certification program, and (2) have completed at least twelve semester hours of credit or have passed the assessment approved by the State Board of Education in the subject area they will teach. The State Board of Education may grant a durational shortage area permit, endorsed consistent with this section, to a person who meets the qualifications for such permit as modified by this section. In granting such permits, the board shall give priority to addressing the needs of the schools operated by the boards of education for the towns of Bridgeport, Hartford and New Haven, and then to the needs of state charter schools located in [such towns] Bridgeport, Hartford, New Haven and Stamford. Such permit shall be valid for one year and shall be renewable once.

Sec. 15. Section 10-145 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2009*):

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

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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.]

(b) If the State Board of Education determines that a local or regional board of education is not in compliance with any provision of sections 10-144o to 10-149, inclusive, as amended by this act, and section 10-220a, as amended by this act, the State Board of Education may require the local or regional board of education to forfeit of the total sum which is paid to such board of education from the State Treasury an amount to be determined by the State Board of Education, which amount shall be not less than one thousand dollars nor more than ten thousand dollars. The amount so forfeited shall be withheld from a grant payment, as determined by the commissioner, during the fiscal year following the fiscal year in which noncompliance is determined pursuant to this subsection. Notwithstanding the penalty provision of this section, the State Board of Education may waive such forfeiture if the board determines that the failure of the local or regional board of education to comply with such a provision was due to circumstances beyond its control.

Sec. 16. Subsection (b) of section 10-220a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2009*):

(b) Not later than a date prescribed by the commissioner, each local and regional board of education shall [develop, with the advice and assistance of the teachers and administrators employed by such

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boards, including representatives of the exclusive bargaining representative of such teachers and administrators chosen pursuant to section 10-153b, and such other resources as the board deems appropriate, a comprehensive professional development plan, to be implemented not later than the school year 1994-1995] establish a professional development committee consisting of certified employees, and such other school personnel as the board deems appropriate, including representatives of the exclusive bargaining representative for such employees chosen pursuant to subsection (b) of section 10-153. The duties of such committees shall include, but not be limited to, the development, evaluation and annual updating of a comprehensive local professional development plan for certified employees of the district. Such plan shall: [be] (1) Be directly related to the educational goals prepared by the local or regional board of education pursuant to subsection (b) of section 10-220, (2) on and after July 1, 2011, be developed with full consideration of the priorities and needs related to student outcomes as determined by the State Board of Education, and [shall] (3) provide for the ongoing and systematic assessment and improvement of both teacher evaluation and professional development of the professional staff members of each such board, including personnel management and evaluation training or experience for administrators, shall be related to regular and special student needs and may include provisions concerning career incentives and parent involvement. The State Board of Education shall develop guidelines to assist local and regional boards of education in determining the objectives of the plans and in coordinating staff development activities with student needs and school programs.

Sec. 17. Subsection (a) of section 17a-101i of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2009*):

(a) Notwithstanding any provision of the general statutes, after an

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investigation has been completed and the Commissioner of Children and Families, based upon the results of the investigation, has reasonable cause to believe that a child has been abused by a school employee who holds a certificate, permit or authorization issued by the State Board of Education, and the commissioner has recommended that such employee be placed on the child abuse and neglect registry established pursuant to section 17a-101k, the commissioner shall, not later than five working days after such finding, notify the employing superintendent of such finding and shall provide records, whether or not created by the department, concerning such investigation to the superintendent who shall suspend such school employee. The commissioner shall provide such notice whether or not the child was a student in the employing school or school district. Such suspension shall be with pay and shall not result in the diminution or termination of benefits to such employee. Within seventy-two hours after such suspension the superintendent shall notify the local or regional board of education and the Commissioner of Education, or the commissioner's representative, of the reasons for and conditions of the suspension. The superintendent shall disclose such records to the Commissioner of Education and the local or regional board of education or its attorney for purposes of review of employment status or the status of such employee's certificate, permit or authorization. The suspension of a school employee employed in a position requiring a certificate shall remain in effect until the board of education acts pursuant to the provisions of section 10-151. If the contract of employment of such certified school employee is terminated, the superintendent shall notify the Commissioner of Education, or the commissioner's representative, within seventy-two hours after such termination. Upon receipt of such notice from the superintendent, the Commissioner of Education may commence certification revocation proceedings pursuant to the provisions of subsection [(m)] (j) of section 10-145b, as amended by this act. Notwithstanding the provisions of sections 1-210 and 1-211, information received by the

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Commissioner of Education, or the commissioner's representative, pursuant to this section shall be confidential subject to regulations adopted by the State Board of Education under section 10-145g.

Sec. 18. Subdivision (2) of subsection (c) of section 20-195o of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2009*):

(2) A person licensed pursuant to this chapter who holds a professional educator certificate that is endorsed for school social work and issued by the State Board of Education pursuant to sections 10-144o to 10-149, inclusive, as amended by this act, may satisfy the continuing education requirements contained in regulations adopted pursuant to this section by successfully completing professional development activities pursuant to subsection [(1)] (i) of section 10-145b, as amended by this act, provided the number of continuing education hours completed by such person is equal to the number of hours per registration period required by such regulations. For purposes of this subdivision, "registration period" means the one-year period during which a license has been renewed in accordance with section 19a-88 and is current and valid.

Sec. 19. (*Effective from passage*) For the fiscal year ending June 30, 2010, notwithstanding any provision of the general statutes or any special act, municipal charter, home rule ordinance or other ordinance, the board of finance in each town having a board of finance, the board of selectmen in each town having no board of finance or the authority making appropriations for the school district for each town may reduce its budgeted appropriation to the local or regional board of education by an amount up to the limit of funds received directly by such board from the State Fiscal Stabilization Fund pursuant to Title XIV of the American Recovery and Reinvestment Act of 2009, P.L. 111-5, for such fiscal year, provided that upon passage of the municipal budget prior to June 30, 2009, such board of finance or such authority

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making appropriations for the school district for each town failed to account for the direct provision of such fiscal stabilization funds to such local or regional boards of education.

Sec. 20. Section 10-66o of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2009*):

The Department of Education shall encourage the use of regional educational service centers as providers of goods and services for local and regional boards of education and may award special consideration to grant applications that indicate the use of services of regional educational service centers or joint purchasing agreements among boards of education for the purpose of purchasing instructional or other supplies, testing materials, special education services, health care services or food or food services.

Sec. 21. Section 10-158a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2009*):

(a) Any two or more boards of education may, in writing, agree to establish cooperative arrangements to provide school accommodations services, programs or activities, special education services or health care services to enable such boards to carry out the duties specified in the general statutes. Such arrangements may include the establishment of a committee to supervise such programs, the membership of the committee to be determined by the agreement of the cooperating boards. Such committee shall have the power, in accordance with the terms of the agreement, to (1) apply for, receive directly and expend on behalf of the school districts which have designated the committee an agent for such purpose any state or federal grants which may be allocated to school districts for specified programs, the supervision of which has been delegated to such committee, provided such grants are payable before implementation of any such program or are to reimburse the committee pursuant to subsection (d) of this section for

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transportation provided to a school operated by a cooperative arrangement; (2) receive and disburse funds appropriated to the use of such committee by the cooperating school districts, the state or the United States, or given to the committee by individuals or private corporations; (3) hold title to real or personal property in trust, or as otherwise agreed to by the parties, for the appointing boards; (4) employ personnel; (5) enter into contracts; [ ] and (6) otherwise provide the specified programs, services and activities. Teachers employed by any such committee shall be subject to the provisions of the general statutes applicable to teachers employed by the board of education of any town or regional school district. For purposes of this section, the term "teacher" shall include each professional employee of a committee below the rank of superintendent who holds a regular certificate issued by the State Board of Education and who is in a position requiring such certification.

(b) Subject to the provisions of subsection (c) of this section, any board of education may withdraw from any agreement entered into under subsection (a) if, at least one year prior to the date of the proposed withdrawal, it gives written notice of its intent to do so to each of the other boards. Upon withdrawal by one or more boards of education, two or more boards of education may continue their commitment to the agreement. If two or more boards of education continue the arrangement, then such committee established within the arrangement may continue to hold title to any real or personal property given to or purchased by the committee in trust for all the boards of education which entered the agreement, unless otherwise provided in the agreement or by law or by the grantor or donor of such property. Upon dissolution of the committee, any property held in trust shall be distributed in accordance with the agreement, if such distribution is not contrary to law.

(c) If a cooperative arrangement receives a grant for a school

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building project pursuant to chapter 173, the cooperative arrangement shall use the building for which the grant was provided for a period of not less than twenty years after completion of such project. If the cooperative arrangement ceases to use the building for the purpose for which the grant was provided, the Commissioner of Education shall determine whether (1) title to the building and any legal interest in appurtenant land reverts to the state or (2) the cooperative arrangement reimburses the state an amount equal to ten per cent of the eligible school building project costs of the project.

(d) Any cooperative arrangement established pursuant to this section, or any local or regional board of education which is a member of such a cooperative arrangement which transports students to a school operated by such cooperative arrangement shall be reimbursed in accordance with the provisions of section 10-266m. At the end of each school year, any such cooperative arrangement or local or regional board of education which provides such transportation shall file an application for reimbursement on a form provided by the Department of Education.

Sec. 22. Section 10-66ee of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2009*):

(a) For the purposes of education equalization aid under section 10-262h a student enrolled (1) in a local charter school shall be considered a student enrolled in the school district in which such student resides, and (2) in a state charter school shall not be considered a student enrolled in the school district in which such student resides.

(b) The local board of education of the school district in which a student enrolled in a local charter school resides shall pay, annually, in accordance with its charter, to the fiscal authority for the charter school for each such student the amount specified in its charter, including the reasonable special education costs of students requiring special

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education. The board of education shall be eligible for reimbursement for such special education costs pursuant to section 10-76g.

(c) (1) The state shall pay in accordance with this subsection, to the fiscal authority for a state charter school for each student enrolled in such school, for the fiscal year ending June 30, 2006, seven thousand six hundred twenty-five dollars, for the fiscal year ending June 30, 2007, eight thousand dollars, for the fiscal year ending June 30, 2008, eight thousand six hundred fifty dollars, for the fiscal year ending June 30, 2009, nine thousand three hundred dollars. Such payments shall be made as follows: Twenty-five per cent of the amount not later than July fifteenth and September fifteenth based on estimated student enrollment on May first, and twenty-five per cent of the amount not later than January fifteenth and the remaining amount not later than April fifteenth, each based on student enrollment on October first. If the total amount appropriated for grants pursuant to this subdivision exceeds eight thousand six hundred fifty dollars per student for the fiscal year ending June 30, 2008, and exceeds nine thousand three hundred dollars for the fiscal year ending June 30, 2009, the amount of such grants payable per student shall be increased proportionately, except that such per student increase shall not exceed seventy dollars. Any amount of such appropriation remaining after such per student increase may be used by the Department of Education for supplemental grants to interdistrict magnet schools pursuant to subdivision (2) of subsection (c) of section 10-264*l* to pay for a portion of the audit required pursuant to section 10-66*ll*, to pay for expenses incurred by the Department of Education to ensure the continuity of a charter school where required by a court of competent jurisdiction and, in consultation with the Secretary of the Office of Policy and Management, to pay expenses incurred in the creation of a school pursuant to section 10-74g. For the fiscal year ending June 30, 2005, such increase shall be limited to one hundred ten dollars per student.

(2) In the case of a student identified as requiring special education, the

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school district in which the student resides shall: (A) Hold the planning and placement team meeting for such student and shall invite representatives from the charter school to participate in such meeting; and (B) pay the state charter school, on a quarterly basis, an amount equal to the difference between the reasonable cost of educating such student and the sum of the amount received by the state charter school for such student pursuant to subdivision (1) of this subsection and amounts received from other state, federal, local or private sources calculated on a per pupil basis. Such school district shall be eligible for reimbursement pursuant to section 10-76g. The charter school a student requiring special education attends shall be responsible for ensuring that such student receives the services mandated by the student's individualized education program whether such services are provided by the charter school or by the school district in which the student resides.

(d) On or before October fifteenth of the fiscal years beginning July 1, 2001, and July 1, 2002, the Commissioner of Education shall determine if the enrollment in the program for the fiscal year is below the number of students for which funds were appropriated. If the commissioner determines that the enrollment is below such number, the additional funds shall not lapse but shall be used by the commissioner for (1) grants for interdistrict cooperative programs pursuant to section 10-74d, (2) grants for open choice programs pursuant to section 10-266aa, or (3) grants for interdistrict magnet schools pursuant to section 10-264~~l~~, as amended by this act.

(e) Notwithstanding any provision of the general statutes to the contrary, if at the end of a fiscal year amounts received by a state charter school, pursuant to subdivision (1) of subsection (c) of this section, are unexpended, the charter school (1) may use, for the expenses of the charter school for the following fiscal year, up to ten per cent of such amounts, and (2) may (A) create a reserve fund to

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finance a specific capital or equipment purchase or another specified project as may be approved by the commissioner, and (B) deposit into such fund up to five per cent of such amounts.

(f) The local or regional board of education of the school district in which the charter school is located shall provide transportation services for students of the charter school who reside in such school district pursuant to section 10-273a unless the charter school makes other arrangements for such transportation. Any local or regional board of education may provide transportation services to a student attending a charter school outside of the district in which the student resides and, if it elects to provide such transportation, shall be reimbursed pursuant to section 10-266m for the reasonable costs of such transportation. Any local or regional board of education providing transportation services under this subsection may suspend such services in accordance with the provisions of section 10-233c. The parent or guardian of any student denied the transportation services required to be provided pursuant to this subsection may appeal such denial in the manner provided in sections 10-186 and 10-187.

(g) Charter schools shall be eligible to the same extent as boards of education for any grant for special education, competitive state grants and grants pursuant to sections 10-17g and 10-266w.

(h) If the commissioner finds that any charter school uses a grant under this section for a purpose that is inconsistent with the provisions of this part, the commissioner may require repayment of such grant to the state.

(i) Charter schools shall receive, in accordance with federal law and regulations, any federal funds available for the education of any pupils attending public schools.

(j) The governing council of a charter school may (1) contract or

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enter into other agreements for purposes of administrative or other support services, transportation, plant services or leasing facilities or equipment, and (2) receive and expend private funds or public funds, including funds from local or regional boards of education and funds received by local charter schools for out-of-district students, for school purposes.

(k) If in any fiscal year, more than one new state charter school is approved pursuant to section 10-66bb and is awaiting funding pursuant to the provisions of this section, the State Board of Education shall determine which school is funded first based on a consideration of the following factors in order of importance as follows: (1) Whether the applicant has a demonstrated record of academic success by students, (2) whether the school is located in a school district with a demonstrated need for student improvement, and (3) whether the applicant has plans concerning the preparedness of facilities, staffing and outreach to students.

(l) Within available appropriations, the state may provide a grant in an amount not to exceed seventy-five thousand dollars to any newly approved state charter school that assists the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., as determined by the Commissioner of Education, for start-up costs associated with the new charter school program.

(m) Charter schools may, to the same extent as local and regional boards of education, enter into cooperative arrangements as described in section 10-158a, as amended by this act, provided such arrangements are approved by the Commissioner of Education. Any state charter school participating in a cooperative arrangement under this subsection shall maintain its status as a state charter school and not be excused from any obligations pursuant to sections 10-66aa to 10-66ll, inclusive, as amended by this act.

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Sec. 23. (NEW) (*Effective from passage*) (a) On or before September 1, 2009, the Board of Trustees of the Community-Technical Colleges shall appoint and convene an oversight board for the purposes of carrying out the provisions of subsection (b) of this section. Such board shall include: (1) A representative of the faculty of Norwalk Community College; (2) a representative of the faculty of the J. M. Wright Technical High School; (3) four representatives from trade vocations; (4) two representatives of the business community; and (5) a representative of a chamber of commerce. The president of Norwalk Community College shall serve as the oversight board's chairperson.

(b) On or before January 1, 2010, the oversight board established pursuant to subsection (a) of this section, in consultation with the Board of Trustees of the Community-Technical Colleges and the Commissioner of Education, shall establish, within existing budgetary resources and staffing levels, a pilot program to operate during the school year commencing July 1, 2010, and each school year thereafter, to allow students to complete courses at the J. M. Wright Technical High School for college credit at Norwalk Community College. Such program shall coordinate courses between the J. M. Wright Technical High School and Norwalk Community College and provide students with access to vocational employment or postsecondary education.

(c) On or before June 30, 2011, and annually thereafter, the Board of Trustees of the Community-Technical Colleges and the Commissioner of Education shall report, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committees of the General Assembly having cognizance of matters relating to education and higher education and employment advancement on the curriculum offered as part of the pilot program and the number of students who have earned course credit under the program established in subsection (b) of this section.

Sec. 24. Subsection (j) of section 10-264*l* of the general statutes is

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repealed and the following is substituted in lieu thereof (*Effective July 1, 2009*):

(j) (1) After accommodating students from participating districts in accordance with an approved enrollment agreement, an interdistrict magnet school operator that has unused student capacity may enroll directly into its program any interested student. A student from a district that is not participating in an interdistrict magnet school or the interdistrict student attendance program pursuant to section 10-266aa to an extent determined by the Commissioner of Education shall be given preference. The local or regional board of education otherwise responsible for educating such student shall contribute funds to support the operation of the interdistrict magnet school in an amount equal to the per student tuition, if any, charged to participating districts.

(2) For the fiscal year ending June 30, 2009, any tuition charged to a local or regional board of education by a regional educational service center operating an interdistrict magnet school shall be in an amount equal to at least seventy-five per cent of the difference between (A) the average per pupil expenditure of the magnet school for the prior fiscal year, and (B) the amount of any per pupil state subsidy calculated under subsection (c) of this section plus any revenue from other sources calculated on a per pupil basis, provided no increase in tuition charged on a per pupil basis shall be more than ten per cent of that charged for the previous fiscal year. If any such board of education fails to pay such tuition, the commissioner may withhold from such board's town or towns a sum payable under section 10-262i in an amount not to exceed the amount of the unpaid tuition to the magnet school and pay such money to the fiscal agent for the magnet school as a supplementary grant for the operation of the interdistrict magnet school program.

(3) A participating district shall provide opportunities for its

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students to attend an interdistrict magnet school in a number that is at least equal to the number specified in any written agreement with an interdistrict magnet school operator or in a number that is at least equal to the average number of students that the participating district enrolled in such magnet school during the previous three school years.

(4) On or before May 15, 2010, and annually thereafter, each interdistrict magnet school operator shall provide written notification to any school district that is otherwise responsible for educating a student who resides in such school district and will be enrolled in an interdistrict magnet school under the operator's control for the following school year. Such notification shall include the number of any such students, by grade, who will be enrolled in an interdistrict magnet school under the control of such operator, the name of the school in which such student has been placed and the amount of tuition to be charged to the local or regional board of education for such student. Such notification shall represent an estimate of the number of students expected to attend such interdistrict magnet schools in the following school year, but shall not be deemed to limit the number of students who may enroll in such interdistrict magnet schools for such year.

Sec. 25. (*Effective July 1, 2009*) Notwithstanding the student admission criteria and procedures under subdivision (8) of subsection (d) of section 10-66bb of the general statutes, for the school years commencing July 1, 2011, to July 1, 2015, inclusive, there shall be a pilot program administered at the charter school that will operate at the former Timothy Dwight Elementary School in the town of New Haven that allows any student residing within a one-half mile radius of said school and who wants to attend said school shall be enrolled at said school.

Sec. 26. Sections 10-145e, 10-146d and 10-146e of the general statutes are repealed. (*Effective July 1, 2009*)

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Approved June 22, 2009