



Senate

General Assembly

File No. 655

January Session, 2009

Substitute Senate Bill No. 1142

Senate, April 15, 2009

The Committee on Education reported through SEN. GAFFEY of the 13th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING RELIEF OF STATE MANDATES ON SCHOOL DISTRICTS.

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

1 Section 1. Subsection (c) of section 10-151 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2009*):

4 (c) The contract of employment of a teacher who has not attained
5 tenure may be terminated at any time for any of the reasons
6 enumerated in subdivisions (1) to (6), inclusive, of subsection (d) of
7 this section; otherwise the contract of such teacher shall be continued
8 into the next school year unless such teacher receives written notice by
9 [April] May first in one school year that such contract will not be
10 renewed for the following year. Upon the teacher's written request, a
11 notice of nonrenewal or termination shall be supplemented within
12 seven days after receipt of the request by a statement of the reason or
13 reasons for such nonrenewal or termination. Such teacher, upon
14 written request filed with the board of education within twenty days

15 after the receipt of notice of termination, or nonrenewal shall be
16 entitled to a hearing, except as provided in this subsection, (A) before
17 the board, (B) if indicated in such request and if designated by the
18 board, before an impartial hearing panel established and conducted in
19 accordance with the provisions of subsection (d) of this section, or (C)
20 if the parties mutually agree before a single impartial hearing officer
21 chosen by the teacher and the superintendent in accordance with the
22 provisions of subsection (d) of this section. Such hearing shall
23 commence within fifteen days after receipt of such request unless the
24 parties mutually agree to an extension not to exceed fifteen days. The
25 impartial hearing panel or officer or a subcommittee of the board of
26 education, if the board of education designates a subcommittee of
27 three or more board members to conduct hearings, shall submit
28 written findings and recommendations to the board for final
29 disposition. The teacher shall have the right to appear with counsel of
30 the teacher's choice at the hearing. A teacher who has not attained
31 tenure shall not be entitled to a hearing concerning nonrenewal if the
32 reason for such nonrenewal is either elimination of position or loss of
33 position to another teacher. The board of education shall rescind a
34 nonrenewal decision only if the board finds such decision to be
35 arbitrary and capricious. Any such teacher whose contract is
36 terminated for the reasons enumerated in subdivisions (3) and (4) of
37 subsection (d) of this section shall have the right to appeal in
38 accordance with the provisions of subsection (e) of this section.

39 Sec. 2. Subsection (c) of section 10-16p of the general statutes is
40 repealed and the following is substituted in lieu thereof (*Effective July*
41 *1, 2009*):

42 (c) The Commissioner of Education, in consultation with the
43 Commissioner of Social Services, shall establish a grant program to
44 provide spaces in accredited school readiness programs for eligible
45 children who reside in priority school districts pursuant to section 10-
46 266p or in former priority school districts as provided in this
47 subsection. Under the program, the grant shall be provided, in
48 accordance with this section, to the town in which such priority school

49 district or former priority school district is located. Eligibility shall be
50 determined for a five-year period based on an applicant's designation
51 as a priority school district for the initial year of application, except
52 that if a school district that receives a grant pursuant to this subsection
53 is no longer designated as a priority school district at the end of such
54 five-year period, such former priority school district shall continue to
55 be eligible to receive a grant pursuant to this subsection. Grant awards
56 shall be made annually contingent upon available funding and a
57 satisfactory annual evaluation. Grant payments shall be adjusted in
58 accordance with reports of space availability in accredited school
59 readiness programs for eligible children submitted to the
60 commissioner every other month. The chief elected official of such
61 town and the superintendent of schools for such priority school district
62 or former priority school district shall submit a plan for the
63 expenditure of grant funds and responses to the local request for
64 proposal process to the Departments of Education and Social Services.
65 The departments shall jointly review such plans and shall each
66 approve the portion of such plan within its jurisdiction for funding.
67 The plan shall: (1) Be developed in consultation with the local or
68 regional school readiness council established pursuant to section 10-
69 16r; (2) be based on a needs and resource assessment; (3) provide for
70 the issuance of requests for proposals for providers of accredited
71 school readiness programs, provided, after the initial requests for
72 proposals, facilities that have been approved to operate a child care
73 program financed through the Connecticut Health and Education
74 Facilities Authority and have received a commitment for debt service
75 from the Department of Social Services pursuant to section 17b-749i,
76 are exempt from the requirement for issuance of annual requests for
77 proposals; and (4) identify the need for funding pursuant to section
78 17b-749a in order to extend the hours and days of operation of school
79 readiness programs in order to provide child day care services for
80 children attending such programs.

81 Sec. 3. Sections 10-221g and 10-229 of the general statutes are
82 repealed. (*Effective July 1, 2009*)

This act shall take effect as follows and shall amend the following sections:

| | | |
|-----------|---------------------|------------------|
| Section 1 | <i>July 1, 2009</i> | 10-151(c) |
| Sec. 2 | <i>July 1, 2009</i> | 10-16p(c) |
| Sec. 3 | <i>July 1, 2009</i> | Repealer section |

ED *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

| Agency Affected | Fund-Effect | FY 10 \$ | FY 11 \$ |
|------------------------------|--------------|-------------------|-------------------|
| State Technical High Schools | GF - Savings | Potential Minimal | Potential Minimal |

Note: GF=General Fund

Municipal Impact:

| Municipalities | Effect | FY 10 \$ | FY 11 \$ |
|---|---------|-------------------|-------------------|
| Various Municipalities; Local and Regional School Districts | Savings | Potential Minimal | Potential Minimal |

Explanation

The bill eliminates several state mandates on local and regional school districts, which could result in a savings. However, it is anticipated that the savings achieved as a result of eliminating these mandates would be minimal.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

Sources: *The Cost of Education Mandates, Bristol 2008-2009*

OLR Bill Analysis

sSB 1142

AN ACT CONCERNING RELIEF OF STATE MANDATES ON SCHOOL DISTRICTS.

SUMMARY:

This bill:

1. gives school districts an extra month to notify their nontenured teachers that their contracts will be not renewed for the next year;
2. for purposes of state school readiness grants, requires towns to report available school readiness program spaces to the education commissioner every other month;
3. eliminates a requirement that (a) school boards conduct an instructional time and facility usage assessment to allow maximum school learning and community use of facilities and (b) school superintendents meet regularly with town recreation department and library representatives to coordinate facilities availability;
4. eliminates requirements that, when a school board changes any public school textbooks, it (a) give notice of its intention to do so at a board meeting held at least one week before and (b) do so only upon a two-thirds vote of all the board's members; and
5. eliminates an explicit authorization for a board that changes its textbooks to donate the used books to another school board.

EFFECTIVE DATE: July 1, 2009

NONTENURED TEACHER CONTRACT RENEWAL

By law, if a school district decides not to renew an employment contract with a teacher who does not have tenure, it must give the teacher written notice of nonrenewal on or before a statutory deadline. Under current law, nontenured teachers must receive nonrenewal notices by April 1. This bill gives a school district more time to decide whether to renew by moving the mandatory notice deadline to May 1. Unless the district provides the required notice by the deadline, a nontenured teacher's contract must be continued for the next school year.

SCHOOL READINESS SPACE REPORTS

Towns must use the state school readiness grant to buy spaces in accredited school readiness programs for eligible children. Actual grant payments are based on reports on the availability and usage of school readiness spaces or "slots". The State Department of Education currently requires these reports to be submitted monthly. This bill requires them to be submitted every other month and requires grant payments to be adjusted accordingly.

COMMITTEE ACTION

Education Committee

Joint Favorable Substitute

Yea 30 Nay 0 (04/01/2009)