



General Assembly

January Session, 2009

Raised Bill No. 6392

LCO No. 3095

03095_____PRI

Referred to Committee on Program Review and Investigations

Introduced by:
(PRI)

**AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE
PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE
CONCERNING TEACHER CERTIFICATION.**

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

1 Section 1. Subsection (m) of section 10-145b of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2009*):

4 (m) (1) The State Board of Education may revoke any certificate,
5 authorization or permit issued pursuant to sections 10-144o to 10-149,
6 inclusive, for any of the following reasons: (A) The holder of the
7 certificate, authorization or permit obtained such certificate,
8 authorization or permit through fraud or misrepresentation of a
9 material fact; (B) the holder has persistently neglected to perform the
10 duties for which the certificate, authorization or permit was granted;
11 (C) the holder is professionally unfit to perform the duties for which
12 the certificate, authorization or permit was granted; (D) the holder is
13 convicted in a court of law of a crime involving moral turpitude or of
14 any other crime of such nature that in the opinion of the board
15 continued holding of a certificate, authorization or permit by the

16 person would impair the standing of certificates, authorizations or
17 permits issued by the board; (E) when the Commissioner of Education
18 is notified by a local or regional board of education, pursuant to
19 section 10-220, as amended by this act, that a certified employee has
20 been terminated for inefficiency or incompetence, insubordination
21 against reasonable rules of the board of education, moral misconduct
22 or any other due and sufficient cause, in accordance with the
23 provisions of section 10-151; or [(E)] (F) other due and sufficient cause.
24 The State Board of Education shall revoke any certificate, authorization
25 or permit issued pursuant to said sections if the holder is found to
26 have intentionally disclosed specific questions or answers to students
27 or otherwise improperly breached the security of any administration of
28 a state-wide examination pursuant to section 10-14n. In any revocation
29 proceeding pursuant to this section, the State Board of Education shall
30 have the burden of establishing the reason for such revocation by a
31 preponderance of the evidence. Revocation shall be in accordance with
32 procedures established by the State Board of Education pursuant to
33 chapter 54.

34 (2) When the Commissioner of Education is notified, pursuant to
35 section 10-149a or 17a-101i that a person holding a certificate,
36 authorization or permit issued by the State Board of Education under
37 the provisions of sections 10-144o to 10-149, inclusive, has been
38 convicted of (A) a capital felony, pursuant to section 53a-54b, (B) arson
39 murder, pursuant to section 53a-54d, (C) a class A felony, (D) a class B
40 felony, except a violation of section 53a-122, 53a-252 or 53a-291, (E) a
41 crime involving an act of child abuse or neglect as described in section
42 46b-120, or (F) a violation of section 53-21, 53-37a, 53a-60b, 53a-60c,
43 53a-71, 53a-72a, 53a-72b, 53a-73a, 53a-88, 53a-99, 53a-103a, 53a-181c,
44 53a-191, 53a-196, 53a-196c, 53a-216, 53a-217b or 21a-278 or subsection
45 (a) of section 21a-277, any certificate, permit or authorization issued by
46 the State Board of Education and held by such person shall be deemed
47 revoked and the commissioner shall notify such person of such
48 revocation, provided such person may request reconsideration
49 pursuant to regulations adopted by the State Board of Education, in

50 accordance with the provisions of chapter 54. As part of such
51 reconsideration process, the board shall make the initial determination
52 as to whether to uphold or overturn the revocation. The commissioner
53 shall make the final determination as to whether to uphold or overturn
54 the revocation.

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

68 Sec. 2. Subsection (a) of section 10-220 of the general statutes is
69 repealed and the following is substituted in lieu thereof (*Effective July*
70 *1, 2009*):

71 (a) Each local or regional board of education shall maintain good
72 public elementary and secondary schools, implement the educational
73 interests of the state as defined in section 10-4a and provide such other
74 educational activities as in its judgment will best serve the interests of
75 the school district; provided any board of education may secure such
76 opportunities in another school district in accordance with provisions
77 of the general statutes and shall give all the children of the school
78 district as nearly equal advantages as may be practicable; shall provide
79 an appropriate learning environment for its students which includes
80 (1) adequate instructional books, supplies, materials, equipment,
81 staffing, facilities and technology, (2) equitable allocation of resources

82 among its schools, (3) proper maintenance of facilities, and (4) a safe
83 school setting; shall have charge of the schools of its respective school
84 district; shall make a continuing study of the need for school facilities
85 and of a long-term school building program and from time to time
86 make recommendations based on such study to the town; shall adopt
87 and implement an indoor air quality program that provides for
88 ongoing maintenance and facility reviews necessary for the
89 maintenance and improvement of the indoor air quality of its facilities;
90 shall report biennially to the Commissioner of Education on the
91 condition of its facilities and the action taken to implement its long-
92 term school building program and indoor air quality program, which
93 report the Commissioner of Education shall use to prepare a biennial
94 report that said commissioner shall submit in accordance with section
95 11-4a to the joint standing committee of the General Assembly having
96 cognizance of matters relating to education; shall advise the
97 Commissioner of Education of the relationship between any individual
98 school building project pursuant to chapter 173 and such long-term
99 school building program; shall have the care, maintenance and
100 operation of buildings, lands, apparatus and other property used for
101 school purposes and at all times shall insure all such buildings and all
102 capital equipment contained therein against loss in an amount not less
103 than eighty per cent of replacement cost; shall determine the number,
104 age and qualifications of the pupils to be admitted into each school;
105 shall develop and implement a written plan for minority staff
106 recruitment for purposes of subdivision (3) of section 10-4a; shall
107 employ and dismiss the teachers of the schools of such district subject
108 to the provisions of sections 10-151 and 10-158a; shall designate the
109 schools which shall be attended by the various children within the
110 school district; shall make such provisions as will enable each child of
111 school age, residing in the district to attend some public day school for
112 the period required by law and provide for the transportation of
113 children wherever transportation is reasonable and desirable, and for
114 such purpose may make contracts covering periods of not more than
115 five years; may place in an alternative school program or other suitable

116 educational program a pupil enrolling in school who is nineteen years
117 of age or older and cannot acquire a sufficient number of credits for
118 graduation by age twenty-one; may arrange with the board of
119 education of an adjacent town for the instruction therein of such
120 children as can attend school in such adjacent town more conveniently;
121 shall cause each child five years of age and over and under eighteen
122 years of age who is not a high school graduate and is living in the
123 school district to attend school in accordance with the provisions of
124 section 10-184, and shall perform all acts required of it by the town or
125 necessary to carry into effect the powers and duties imposed by law;
126 and shall report to the Commissioner of Education the name of any
127 certified employee who has been terminated for inefficiency or
128 incompetence, insubordination against reasonable rules of the board of
129 education, moral misconduct or any other due and sufficient cause, in
130 accordance with the provisions of section 10-151.

131 Sec. 3. Subsection (l) of section 10-145b of the general statutes is
132 repealed and the following is substituted in lieu thereof (*Effective July*
133 *1, 2011*):

134 (l) (1) For certified employees of local and regional boards of
135 education, except as provided in this [subdivision] subsection, each
136 professional educator certificate shall be valid for five years and
137 continued every five years thereafter upon the successful completion
138 of professional development activities [which shall consist of not less
139 than ninety hours of continuing education, as determined by the local
140 or regional board of education in accordance with this section, or
141 documented completion of a national board certification assessment in
142 the appropriate endorsement area, during each successive five-year
143 period. (A) Such continuing education] in accordance with this
144 subsection and the regulations adopted pursuant to section 4 of this
145 act.

146 (2) (A) Such professional development activities completed by
147 certified employees who are involved in instructing students at least

148 fifty per cent of their assigned time and hold a professional educator
149 certificate, shall be connected to improving teaching or obtaining a
150 cross-endorsement. Acceptable professional development activities
151 shall include, but not be limited to: (i) Formally mentoring one or more
152 beginning teachers; (ii) participating in or leading, at the school or
153 district level, committees, initiatives or seminars on developing or
154 teaching new curricula, assessing students or using assessment data to
155 adjust instruction; (iii) completing coursework to obtain a cross-
156 endorsement; (iv) completing a research project focused on improving
157 student learning; (v) serving at the Department of Education in a
158 professional capacity; and (vi) working toward obtaining certification
159 by the National Board of Professional Teaching Standards. Such
160 teachers shall demonstrate to the Department of Education that the
161 completion of such professional development activities was substantial
162 in duration, related to student learning and teaching in a subject for
163 which such employee holds or is pursuing an endorsement, relevant to
164 application in the classroom and aligned with state teaching standards
165 and the needs of the teacher's school district and students, in
166 accordance with the plan developed pursuant to subsection (b) of
167 section 10-220a. (B) Such professional development activities
168 completed by certified employees with an early childhood nursery
169 through grade three or an elementary endorsement who hold a
170 position requiring such an endorsement shall include [at least fifteen
171 hours of] training, the amount of which shall be established by the
172 Department of Education in regulations adopted pursuant to section 4
173 of this act, in the teaching of reading and reading readiness and
174 assessment of reading performance, including methods of teaching
175 language skills necessary for reading, reading comprehension skills,
176 phonics and the structure of the English language during each five-
177 year period. [(B)] (C) Such [continuing education] professional
178 development activities requirement completed by certified employees
179 with elementary, middle grades or secondary academic endorsements
180 who hold a position requiring such an endorsement shall include [at
181 least fifteen hours of] training, the amount of which shall be

182 established by the Department of Education in regulations adopted
183 pursuant to section 4 of this act, in the use of computers in the
184 classroom during each five-year period unless such employees are able
185 to demonstrate technology competency, in a manner determined by
186 their local or regional board of education, based on state-wide
187 standards for teacher competency in the use of technology for
188 instructional purposes adopted pursuant to section 4d-85. [(C) Such
189 continuing education completed by (i) the superintendent of schools,
190 and (ii) employees employed in positions requiring an intermediate
191 administrator or supervisory certificate, or the equivalent thereof, and
192 whose administrative or supervisory duties equal at least fifty per cent
193 of their assigned time, shall include at least fifteen hours of training in
194 the evaluation of teachers pursuant to section 10-151b during each
195 five-year period.] (D) In the case of certified employees with a
196 bilingual education endorsement who hold positions requiring such an
197 endorsement (i) in an elementary school and who do not hold an
198 endorsement in elementary education, such [continuing education]
199 professional development activities taken on or after July 1, [1999]
200 2011, shall only count toward the [ninety-hour] professional
201 development activities requirement if it is in language arts, reading
202 and mathematics, and (ii) in a middle or secondary school and who do
203 not hold an endorsement in the subject area they teach, such
204 [continuing education] professional development activities taken on or
205 after July 1, [1999] 2011, shall only count toward the [ninety-hour]
206 professional development activities requirement if it is in such subject
207 area or areas.

208 (3) (A) Such professional development activities completed by
209 certified employees, except those described in subdivision (2) of this
210 subsection, shall consist of not less than ninety hours of continuing
211 education, as determined by the local or regional board of education in
212 accordance with this section, or documented completion of a national
213 board certification assessment in the appropriate endorsement area,
214 during each successive five-year period. (B) Such continuing education
215 completed by (i) the superintendent of schools, and (ii) employees

216 employed in positions requiring an intermediate administrator or
217 supervisory certificate, or the equivalent thereof, and whose
218 administrative or supervisory duties equal at least fifty per cent of
219 their assigned time, shall include at least fifteen hours of training in the
220 evaluation of teachers pursuant to section 10-151b during each five-
221 year period. (C) Each local and regional board of education shall make
222 available, annually, at no cost to its certified employees, except those
223 described in subdivision (2) of this subsection, not fewer than eighteen
224 hours of professional development activities for continuing education
225 credit. Such activities may be made available by a board of education
226 directly, through a regional educational service center or cooperative
227 arrangement with another board of education or through
228 arrangements with any continuing education provider approved by
229 the State Board of Education. Local and regional boards of education
230 shall grant continuing education credit for activities that certified
231 employees, except those described in subdivision (2) of this subsection,
232 are required to attend, activities offered in accordance with the plan
233 developed pursuant to subsection (b) of section 10-220a, activities
234 pursuant to subdivision (2) of this subsection or activities that the
235 board may approve for any certified employees, except those
236 described in subdivision (2) of this subsection.

237 (4) (A) During each five-year period in which a professional
238 educator certificate is valid, a holder of such certificate who has not
239 completed the [ninety hours of] continuing education required
240 pursuant to this [subdivision] subsection and the regulations adopted
241 pursuant to section 4 of this act, and who has not been employed while
242 holding such certificate by a local or regional board of education for all
243 or part of the five-year period, shall, upon application, be reissued
244 such certificate for five years minus any period of time such holder
245 was employed while holding such certificate by a local or regional
246 board of education, provided there shall be only one such reissuance
247 during each five-year period in which such certificate is valid. A
248 certified employee of a local or regional board of education who is a
249 member of the General Assembly and who has not completed the

250 [ninety hours of] continuing education required pursuant to this
251 [subdivision] subsection and the regulations adopted pursuant to
252 section 4 of this act for continuation of a certificate, upon application,
253 shall be reissued a professional educator certificate for a period of time
254 equal to six months for each year the employee served in the General
255 Assembly during the previous five years. Continuing education
256 [hours] completed during the previous five years shall be applied
257 toward such [ninety-hour] requirement which shall be completed
258 during the reissuance period in order for such employee to be eligible
259 to have a certificate continued. (B) The cost of the professional
260 development activities required under this subsection for certified
261 employees of local or regional boards of education shall be shared by
262 the state and local or regional boards of education, except for those
263 activities identified by the State Board of Education as the
264 responsibility of the certificate holder. [Each local and regional board
265 of education shall make available, annually, at no cost to its certified
266 employees not fewer than eighteen hours of professional development
267 activities for continuing education credit. Such activities may be made
268 available by a board of education directly, through a regional
269 educational service center or cooperative arrangement with another
270 board of education or through arrangements with any continuing
271 education provider approved by the State Board of Education. Local
272 and regional boards of education shall grant continuing education
273 credit for professional development activities which the certified
274 employees of the board of education are required to attend,
275 professional development activities offered in accordance with the
276 plan developed pursuant to subsection (b) of section 10-220a, or
277 professional development activities which the board may approve for
278 any individual certified employee. Each] (C) Subject to the provisions
279 of subdivision (2) of this subsection, each board of education shall
280 determine the specific professional development activities to be made
281 available with the advice and assistance of the [teachers] certified
282 employees employed by such board, including representatives of the
283 exclusive bargaining unit for such teachers pursuant to section 10-

284 153b. The time and location for the provision of such activities shall be
285 in accordance with either an agreement between the board of
286 education and the exclusive bargaining unit pursuant to [said] section
287 10-153b or, in the absence of such agreement or to the extent such
288 agreement does not provide for the time and location of all such
289 activities, in accordance with a determination by the board of
290 education.

291 [(2)] (5) Each local and regional board of education shall attest to the
292 state Department of Education, in such form and at such time as the
293 commissioner shall prescribe, that professional development activities
294 for which continuing education credit is granted by the board: (A) Are
295 planned in response to identified needs, (B) are provided by qualified
296 instructional personnel, as appropriate, (C) have the requirements for
297 participation in the activity shared with participants before the
298 commencement of the activity, (D) are evaluated in terms of its
299 effectiveness and its contribution to the attainment of school or
300 district-wide goals, and (E) are documented in accordance with
301 procedures established by the State Board of Education. At the end of
302 each five-year period each professional educator shall attest to the state
303 Department of Education, in such form and at such time as the
304 commissioner shall prescribe, that the professional educator has
305 successfully completed [ninety hours of] the continuing education
306 requirement.

307 [(3)] (6) In the event that the state Department of Education notifies
308 the local or regional board of education that the provisions of
309 [subdivision (2)] subdivisions (2) to (5), inclusive, of this subsection
310 have not been met and that specific corrective action is necessary, the
311 local or regional board of education shall take such corrective action
312 immediately. The department shall not invalidate continuing
313 education credit awarded prior to such notice.

314 Sec. 4. (NEW) (*Effective from passage*) Not later than January 1, 2011,
315 the State Board of Education shall adopt regulations, in accordance

316 with the provisions of chapter 54 of the general statutes, to establish a
317 standard for the successful completion of professional development
318 activities pursuant to subsection (l) of section 10-145b of the general
319 statutes, as amended by this act, by certified employees and a format
320 by which certified employees are to submit information to the
321 Department of Education regarding such completion.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2009</i>	10-145b(m)
Sec. 2	<i>July 1, 2009</i>	10-220(a)
Sec. 3	<i>July 1, 2011</i>	10-145b(l)
Sec. 4	<i>from passage</i>	New section

Statement of Purpose:

To implement the recommendations of the Legislative Program Review and Investigations Committee concerning professional development and continuing education for certified employees of local and regional boards of education.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]