



# House of Representatives

**File No. 685**

General Assembly

February Session, 2010

**(Reprint of File No. 588)**

Substitute House Bill No. 5491  
As Amended by House Amendment  
Schedule "A"

Approved by the Legislative Commissioner  
May 1, 2010

**AN ACT CONCERNING CERTAIN SCHOOL DISTRICT REFORMS TO  
REDUCE THE ACHIEVEMENT GAP IN CONNECTICUT.**

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

1 Section 1. Section 10-223e of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2010*):

3 (a) In conformance with the No Child Left Behind Act, P.L. 107-110,  
4 the Commissioner of Education shall prepare a state-wide education  
5 accountability plan, consistent with federal law and regulation. Such  
6 plan shall identify the schools and districts in need of improvement,  
7 require the development and implementation of improvement plans  
8 and utilize rewards and consequences.

9 (b) Public schools identified by the State Board of Education  
10 pursuant to section 10-223b of the general statutes, revision of 1958,  
11 revised to January 1, 2001, as schools in need of improvement shall: (1)  
12 Continue to be identified as schools in need of improvement, and  
13 continue to operate under school improvement plans developed  
14 pursuant to said section 10-223b through June 30, 2004; (2) on or before

15 February 1, 2003, be evaluated by the local board of education and  
16 determined to be making sufficient or insufficient progress; (3) if found  
17 to be making insufficient progress by a local board of education, be  
18 subject to a new remediation and organization plan developed by the  
19 local board of education; (4) continue to be eligible for available federal  
20 or state aid; (5) beginning in February, 2003, be monitored by the  
21 Department of Education for adequate yearly progress, as defined in  
22 the state accountability plan prepared in accordance with subsection  
23 (a) of this section; and (6) be subject to rewards and consequences as  
24 defined in said plan.

25 (c) (1) Any school or school district identified as in need of  
26 improvement pursuant to subsection (a) of this section and requiring  
27 corrective action pursuant to the requirements of the No Child Left  
28 Behind Act, P.L. 107-110, shall be designated and listed as a low  
29 achieving school or school district and shall be subject to intensified  
30 supervision and direction by the State Board of Education.

31 (2) Notwithstanding any provision of this title or any regulation  
32 adopted pursuant to said statutes, except as provided in subdivision  
33 (3) of this subsection, in carrying out the provisions of subdivision (1)  
34 of this subsection, the State Board of Education shall take any of the  
35 following actions to improve student performance and remove the  
36 school or district from the list of schools or districts designated and  
37 listed as a low achieving school or district pursuant to said subdivision  
38 (1), and to address other needs of the school or district: (A) Require an  
39 operations audit to identify possible programmatic savings and an  
40 instructional audit to identify any deficits in curriculum and  
41 instruction or in the learning environment of the school or district; (B)  
42 require the local or regional board of education for such school or  
43 district to use state and federal funds for critical needs, as directed by  
44 the State Board of Education; (C) provide incentives to attract highly  
45 qualified teachers and principals; (D) direct the transfer and  
46 assignment of teachers and principals; (E) require additional training  
47 and technical assistance for parents and guardians of children  
48 attending the school or a school in the district and for teachers,

49 principals, and central office staff members hired by the district; (F)  
50 require the local or regional board of education for the school or  
51 district to implement model curriculum, including, but not limited to,  
52 recommended textbooks, materials and supplies approved by the  
53 Department of Education; (G) identify schools for reconstitution, as  
54 may be phased in by the commissioner, as state or local charter  
55 schools, schools established pursuant to section 10-74g, or schools  
56 based on other models for school improvement, or for management by  
57 an entity other than the local or regional board of education for the  
58 district in which the school is located; (H) direct the local or regional  
59 board of education for the school or district to develop and implement  
60 a plan addressing deficits in achievement and in the learning  
61 environment as recommended in the instructional audit; (I) assign a  
62 technical assistance team to the school or district to guide school or  
63 district initiatives and report progress to the Commissioner of  
64 Education; (J) establish instructional and learning environment  
65 benchmarks for the school or district to meet as it progresses toward  
66 removal from the list of low achieving schools or districts; (K) provide  
67 funding to any proximate district to a district designated as a low  
68 achieving school district so that students in a low achieving district  
69 may attend public school in a neighboring district; (L) direct the  
70 establishment of learning academies within schools that require  
71 continuous monitoring of student performance by teacher groups; (M)  
72 require local and regional boards of education to (i) undergo training  
73 to improve their operational efficiency and effectiveness as leaders of  
74 their districts' improvement plans, and (ii) submit an annual action  
75 plan to the Commissioner of Education outlining how, when and in  
76 what manner their effectiveness shall be monitored; or (N) any  
77 combination of the actions described in this subdivision or similar,  
78 closely related actions.

79 (3) If a directive of the State Board of Education pursuant to  
80 subparagraph (C), (D), (E) or (L) of subdivision (2) of this subsection or  
81 a directive to implement a plan pursuant to subparagraph (H) of said  
82 subdivision affects working conditions, such directive shall be carried

83 out in accordance with the provisions of sections 10-153a to 10-153n,  
84 inclusive.

85 (4) The Comptroller shall, pursuant to the provisions of section 10-  
86 262i, withhold any grant funds that a town is otherwise required to  
87 appropriate to a local or regional board of education due to low  
88 academic achievement in the school district pursuant to section 10-  
89 262h. Said funds shall be transferred to the Department of Education  
90 and shall be expended by the department on behalf of the identified  
91 school district. Said funds shall be used to implement the provisions of  
92 subdivision (2) of this subsection and to offset such other local  
93 education costs that the Commissioner of Education deems  
94 appropriate to achieve school improvements. These funds shall be  
95 awarded by the commissioner to the local or regional board of  
96 education for such identified school district upon condition that said  
97 funds shall be spent in accordance with the directives of the  
98 commissioner.

99 (d) The State Board of Education shall monitor the progress of each  
100 school or district designated as a low achieving school or district  
101 pursuant to subdivision (1) of subsection (c) of this section and provide  
102 notice to the local or regional board of education for each such school  
103 or district of the school or district's progress toward meeting the  
104 benchmarks established by the State Board of Education pursuant to  
105 subsection (c) of this section. If a district fails to make acceptable  
106 progress toward meeting such benchmarks established by the State  
107 Board of Education and fails to make adequate yearly progress  
108 pursuant to the requirements of the No Child Left Behind Act, P.L.  
109 107-110, for two consecutive years while designated as a low achieving  
110 school district, the State Board of Education, after consultation with the  
111 Governor and chief elected official or officials of the district, may  
112 request that the General Assembly enact legislation authorizing that  
113 control of the district be reassigned to the State Board of Education or  
114 other authorized entity.

115 (e) Any school district or elementary school after two successive

116 years of failing to make adequate yearly progress shall be designated  
117 as a low achieving school district or school and shall be evaluated by  
118 the Commissioner of Education. After such evaluation, the  
119 commissioner may require that such school district or school provide  
120 full-day kindergarten classes, summer school, extended school day,  
121 weekend classes, tutorial assistance to its students or professional  
122 development to its administrators, principals, teachers and  
123 paraprofessional teacher aides if (1) on any subpart of the third grade  
124 state-wide mastery examination, thirty per cent or more of the students  
125 in any subgroup, as defined by the No Child Left Behind Act, P.L. 107-  
126 110, do not achieve the level of proficiency or higher, or (2) the  
127 commissioner determines that it would be in the best educational  
128 interests of the school or the school district to have any of these  
129 programs. In ordering any educational program authorized by this  
130 subsection, the commissioner may limit the offering of the program to  
131 the subgroup of students that have failed to achieve proficiency as  
132 determined by this subsection, those in particular grades or those who  
133 are otherwise at substantial risk of educational failure. The costs of  
134 instituting the ordered educational programs shall be borne by the  
135 identified low achieving school district or the school district in which  
136 an identified low achieving school is located. The commissioner shall  
137 not order an educational program that costs more to implement than  
138 the total increase in the amount of the grant that a town receives  
139 pursuant to section 10-262i in any fiscal year above the prior fiscal  
140 year.

141 (f) The Commissioner of Education shall conduct a study, within the  
142 limits of the capacity of the Department of Education to perform such  
143 study, of academic achievement of individual students over time as  
144 measured by performance on the state-wide mastery examination in  
145 grades three to eight, inclusive. If this study evidences a pattern of  
146 continuous and substantial growth in educational performance on said  
147 examinations for individual students, then the commissioner may  
148 determine that the school district or elementary school shall not be  
149 subject to the requirements of subsection (e) of this section, but shall

150 still comply with the requirements of the No Child Left Behind Act,  
151 P.L. 107-110, if applicable.

152 (g) (1) (A) On and after July 1, 2010, the local or regional board of  
153 education for a school that has been identified as in need of  
154 improvement pursuant to subsection (a) of this section may establish a  
155 school governance council for each school so identified.

156 (B) On and after July 1, 2010, the local or regional board of  
157 education for a school that has been designated as a low achieving  
158 school, pursuant to subdivision (1) of subsection (c) of this section, due  
159 to such school failing to make adequate yearly progress in  
160 mathematics and reading at the whole school level shall establish a  
161 school governance council for each school so designated.

162 (2) (A) The school governance council for high schools shall consist  
163 of (i) seven members who shall be parents or guardians of students  
164 attending the school, (ii) two members who shall be community  
165 leaders within the school district, (iii) five members who shall be  
166 teachers at the school, (iv) one nonvoting member who is the principal  
167 of the school, or his or her designee, and (v) two nonvoting student  
168 members who shall be students at the school. The parent or guardian  
169 members shall be elected by the parents or guardians of students  
170 attending the school, provided, for purposes of the election, each  
171 household with a student attending the school shall have one vote. The  
172 community leader members shall be elected by the parent or guardian  
173 members and teacher members of the school governance council. The  
174 teacher members shall be elected by the teachers of the school. The  
175 nonvoting student members shall be elected by the student body of the  
176 school.

177 (B) The school governance council for elementary and middle  
178 schools shall consist of (i) seven members who shall be parents or  
179 guardians of students attending the school, (ii) two members who shall  
180 be community leaders within the school district, (iii) five members  
181 who shall be teachers at the school, and (iv) one nonvoting member

182 who is the principal of the school, or his or her designee. The parent or  
183 guardian members shall be elected by the parents or guardians of  
184 students attending the school, provided, for purposes of the election,  
185 each household with a student attending the school shall have one  
186 vote. The community leader members shall be elected by the parent or  
187 guardian members and teacher members of the school governance  
188 council. The teacher members shall be elected by the teachers of the  
189 school.

190 (C) Terms of voting members elected pursuant to this subdivision  
191 shall be for two years and no members shall serve more than two  
192 terms on the council. The nonvoting student members shall serve one  
193 year and no student member shall serve more than two terms on the  
194 council.

195 (D) (i) Schools that have been designated as a low achieving school  
196 pursuant to subdivision (1) of subsection (c) of this section due to such  
197 school failing to make adequate yearly progress in mathematics and  
198 reading at the whole school level prior to July 1, 2010, and are among  
199 the lowest five per cent of schools in the state based on achievement  
200 shall establish a school governance council for the school not later than  
201 January 15, 2011.

202 (ii) Schools that have been designated as a low achieving school,  
203 pursuant to subdivision (1) of subsection (c) of this section, due to such  
204 school failing to make adequate yearly progress in mathematics and  
205 reading at the whole school level prior to July 1, 2010, but are not  
206 among the lowest five per cent of schools in the state based on  
207 achievement, shall establish a school governance council for the school  
208 not later than November 1, 2011.

209 (3) The school governance council shall have the following  
210 responsibilities: (A) Analyzing school achievement data and school  
211 needs relative to the improvement plan for the school prepared  
212 pursuant to this section; (B) reviewing the fiscal objectives of the draft  
213 budget for the school and providing advice to the principal of the

214 school before such school's budget is submitted to the superintendent  
215 of schools for the district; (C) participating in the hiring process of the  
216 school principal or other administrators of the school by conducting  
217 interviews of candidates and reporting on such interviews to the  
218 superintendent of schools for the school district and the local and  
219 regional board of education; (D) assisting the principal of the school in  
220 making programmatic and operational changes for improving the  
221 school's achievement, including program changes, adjusting school  
222 hours and days of operation, and enrollment goals for the school; (E)  
223 working with the school administration to develop and approve a  
224 school compact for parents, legal guardians and students that includes  
225 an outline of the criteria and responsibilities for enrollment and school  
226 membership consistent with the school's goals and academic focus,  
227 and the ways that parents and school personnel can build a  
228 partnership to improve student learning; (F) developing and  
229 approving a written parent involvement policy that outlines the role of  
230 parents and legal guardians in the school; (G) utilizing records relating  
231 to information about parents and guardians of students maintained by  
232 the local or regional board of education for the sole purpose of the  
233 election described in subdivision (2) of this subsection. Such  
234 information shall be confidential and shall only be disclosed as  
235 provided in this subparagraph and shall not be further disclosed; and  
236 (H) if the council determines it necessary and subject to the provisions  
237 of subdivision (9) of this subsection recommending reconstitution of  
238 the school in accordance with the provisions of subdivision (6) of this  
239 subsection.

240 (4) The school governance council may: (A) In those schools that  
241 require an improvement plan, review the annual draft report detailing  
242 the goals set forth in the state accountability plan prepared in  
243 accordance with subsection (a) of this section and provide advice to the  
244 principal of the school prior to submission of the report to the  
245 superintendent of schools; (B) in those schools where an improvement  
246 plan becomes required pursuant to subsection (a) of this section, assist  
247 the principal of the school in developing such plan prior to its

248 submission to the superintendent of schools; (C) work with the  
249 principal of the school to develop, conduct and report the results of an  
250 annual survey of parents, guardians and teachers on issues related to  
251 the school climate and conditions; and (D) provide advice on any other  
252 major policy matters affecting the school to the principal of the school,  
253 except on any matters relating to provisions of any collective  
254 bargaining agreement between the exclusive bargaining unit for  
255 teachers pursuant to section 10-153b and local or regional boards of  
256 education.

257 (5) The local or regional board of education shall provide  
258 appropriate training and instruction to members of the school  
259 governance council to aid them in the execution of their duties.

260 (6) (A) The school governance council may, by an affirmative vote of  
261 the council, recommend the reconstitution of the school into one of the  
262 following models: (i) The turnaround model, as described in the  
263 Federal Register of December 10, 2009; (ii) the restart model, as  
264 described in the Federal Register of December 10, 2009; (iii) the  
265 transformation model, as described in the Federal Register of  
266 December 10, 2009; (iv) any other model that may be developed by  
267 federal law; (v) a CommPACT school, pursuant to section 10-74g; or  
268 (vi) an innovation school. Not later than ten days after the school  
269 governance council informs the local or regional board of education of  
270 its recommendation for the school, such board shall hold a public  
271 hearing to discuss such vote of the school governance council and  
272 shall, at the next regularly scheduled meeting of such board or ten  
273 days after such public hearing, whichever is later, conduct a vote to  
274 accept the model recommended by the school governance council,  
275 select an alternative model described in this subdivision or maintain  
276 the current school status. If the board selects an alternative model, the  
277 board shall meet with such school governance council to discuss an  
278 agreement on which alternative to adopt not later than ten days after  
279 such vote of the board. If no such agreement can be achieved, not later  
280 than forty-five days after the last such meeting between the board and  
281 the school governance council, the Commissioner of Education shall

282 decide which of the alternatives to implement. If the board votes to  
283 maintain the current school status, not later than forty-five days after  
284 such vote of the board, the Commissioner of Education shall decide  
285 whether to implement the model recommended by the school  
286 governance council or to maintain the current school status. If the final  
287 decision pursuant to this subdivision is adoption of a model, the local  
288 or regional board of education shall implement such model during the  
289 subsequent school year in conformance with the general statutes and  
290 applicable regulations, and the provisions specified in federal  
291 regulations and guidelines for schools subject to restructuring  
292 pursuant to Section 1116(b)(8) of the No Child Left Behind Act, P.L.  
293 107-110 or any other applicable federal laws or regulations.

294 (B) Any school governance council for a school may recommend  
295 reconstitution, pursuant to subparagraph (H) of subdivision (3) of this  
296 subsection, during the third year after such school governance council  
297 was established if the school for such governance council has not  
298 reconstituted as a result of receiving a school improvement grant  
299 pursuant to Section 1003(g) of Title I of the Elementary and Secondary  
300 Education Act, 20 USC 6301 et seq., or such reconstitution was initiated  
301 by a source other than the school governance council.

302 (7) A school governance council shall be considered a component of  
303 parental involvement for purposes of federal funding pursuant to  
304 Section 1118 of the No Child Left Behind Act, P.L. 107-110.

305 (8) The Commissioner of Education shall evaluate the school  
306 governance councils established on or before January 15, 2011, based  
307 on the criteria described in subsection (a) of section 2 of this act. On or  
308 before October 1, 2014, the commissioner shall report, in accordance  
309 with the provisions of section 11-4a, to the joint standing committee of  
310 the General Assembly having cognizance of matters relating to  
311 education on the evaluation conducted pursuant to this subdivision.  
312 Such report shall also include recommendations whether to continue  
313 to allow school governance councils to recommend reconstitution  
314 pursuant to this subsection.

315     (9) The department shall allow not more than twenty-five schools  
316 per school year to reconstitute pursuant to this subsection. The  
317 department shall notify school districts and school governance  
318 councils when this limit has been reached. For purposes of this  
319 subdivision, a reconstitution shall be counted towards this limit upon  
320 receipt by the department of notification of a final decision regarding  
321 reconstitution by the local or regional board of education.

322     Sec. 2. (NEW) (*Effective July 1, 2010*) (a) The Department of  
323 Education shall monitor, within available appropriations, those  
324 schools that have reconstituted pursuant to subsection (g) of section  
325 10-223e of the general statutes, as amended by this act, to determine  
326 whether such schools have demonstrated progress with regard to the  
327 following indicators: (1) The reconstitution model adopted by the  
328 school; (2) the length of the school day and school year; (3) the number  
329 and type of disciplinary incidents; (4) the number of truants; (5) the  
330 dropout rate; (6) the student attendance rate; (7) the average scale  
331 scores on the state-wide mastery examination pursuant to section 10-  
332 14n of the general statutes; (8) for high schools, the number and  
333 percentage of students completing advanced placement coursework;  
334 (9) the teacher attendance rate; and (10) the existence and size of the  
335 parent-teacher organization for the school. Such monitoring shall be  
336 conducted over the two-year period following such reconstitution.

337     (b) On or before January 1, 2012, the department shall report, in  
338 accordance with the provisions of section 11-4a of the general statutes,  
339 to the joint standing committee of the General Assembly having  
340 cognizance of matters relating to education on (1) the number of school  
341 governance councils established pursuant to subsection (g) of section  
342 10-223e of the general statutes, as amended by this act, and (2) the  
343 number of schools that have been reconstituted and the models, as  
344 described in said subsection (g), that have been adopted as part of such  
345 reconstitution.

346     (c) On or before January 1, 2013, the department shall report, in  
347 accordance with the provisions of section 11-4a of the general statutes,

348 to the joint standing committee of the General Assembly having  
349 cognizance of matters relating to education on (1) the monitoring  
350 conducted pursuant to subsection (a) of this section, (2)  
351 recommendations relating to changes in the reconstitution options  
352 available to schools, including whether school governance councils  
353 may continue to recommend reconstitution pursuant to subsection (g)  
354 of section 10-223e of the general statutes, as amended by this act, (3)  
355 comparison of the models adopted, and (4) the level of progress of  
356 schools adopting each model in relation to the indicators described in  
357 subsection (a) of this section.

358       Sec. 3. (NEW) (*Effective July 1, 2010*) (a) On or before July 1, 2011,  
359 and biennially thereafter, the Department of Education shall report,  
360 within available appropriations, in accordance with the provisions of  
361 section 11-4a of the general statutes, to the joint standing committee of  
362 the General Assembly having cognizance of matters relating to  
363 education on (1) the number of such school governance councils that  
364 have initiated reconstitution pursuant to subsection (g) of section 10-  
365 223 of the general statutes, (2) a comparison of those school  
366 governance councils that have initiated such reconstitution and those  
367 that have not, and (3) whether parental involvement has increased at  
368 those schools with school governance councils.

369       (b) On or before July 1, 2011, and annually thereafter, the  
370 department shall report, in accordance with the provisions of section  
371 11-4a of the general statutes, to the joint standing committee of the  
372 General Assembly having cognizance of matters relating to education  
373 on the evaluations conducted pursuant to subsection (a) of this section.

374       Sec. 4. Section 17b-751 of the 2010 supplement to the general statutes  
375 is repealed and the following is substituted in lieu thereof (*Effective*  
376 *from passage*):

377       (a) There is established a Children's Trust Fund, the resources of  
378 which shall be used by the council established pursuant to subsection  
379 (b) of this section and the Commissioner of Social Services with the

380 advice of the Children's Trust Fund Council to fund programs aimed  
381 at preventing child abuse and neglect and family resource programs.  
382 Said fund is intended to be in addition to those resources that would  
383 otherwise be appropriated by the state for programs aimed at  
384 preventing child abuse and neglect and family resource programs. The  
385 Children's Trust Fund Council and the commissioner may apply for  
386 and accept any federal funds which are available for a Children's Trust  
387 Fund and shall administer such funds in the manner required by  
388 federal law. The fund shall receive money from grants and gifts made  
389 pursuant to section 17a-18. The Children's Trust Fund Council and the  
390 commissioner may solicit and accept funds, on behalf of the Children's  
391 Trust Fund, to be used for the prevention of child abuse and neglect  
392 and family resource programs. The Commissioner of Social Services,  
393 with the advice of the Children's Trust Fund Council, shall adopt  
394 regulations, in accordance with the provisions of chapter 54, to  
395 administer the fund and to set eligibility requirements for programs  
396 seeking funding. Youth service bureaus may receive funds from the  
397 Children's Trust Fund. [The Parent Trust Fund, established pursuant  
398 to subsection (c) of this section, may receive funds directed to it  
399 through the Children's Trust Fund.]

400 (b) There shall be established, within existing resources, a Children's  
401 Trust Fund Council which shall be within the Department of Social  
402 Services. The council shall be composed of sixteen members as follows:  
403 (1) The Commissioners of Social Services, Education, Children and  
404 Families and Public Health, or their designees; (2) a representative of  
405 the business community with experience in fund-raising, appointed by  
406 the president pro tempore of the Senate; (3) a representative of the  
407 business community with experience in fund-raising, appointed by the  
408 speaker of the House of Representatives; (4) a representative of the  
409 business community with experience in fund-raising, appointed by the  
410 minority leader of the House of Representatives; (5) a representative of  
411 the business community with experience in fund-raising, appointed by  
412 the minority leader of the Senate; (6) a parent, appointed by the  
413 majority leader of the House of Representatives; (7) a parent,

414 appointed by the majority leader of the Senate; (8) a parent, appointed  
415 by the president pro tempore of the Senate; (9) a person with expertise  
416 in child abuse prevention, appointed by the speaker of the House of  
417 Representatives; (10) a person with expertise in child abuse prevention,  
418 appointed by the minority leader of the House of Representatives; (11)  
419 a staff member of a child abuse prevention program, appointed by the  
420 minority leader of the Senate; (12) a staff member of a child abuse  
421 prevention program, appointed by the majority leader of the House of  
422 Representatives; and (13) a pediatrician, appointed by the majority  
423 leader of the Senate. The council shall solicit and accept funds, on  
424 behalf of the Children's Trust Fund, to be used for the prevention of  
425 child abuse and neglect and family resource programs, [or on behalf of  
426 the Parent Trust Fund, to be used for parent community involvement  
427 to improve the health, safety and education of children,] and shall  
428 make grants to programs pursuant to [subsections] subsection (a) [and  
429 (c)] of this section.

430 [(c) There is established a Parent Trust Fund which shall be used to  
431 fund programs aimed at improving the health, safety and education of  
432 children by training parents in civic leadership skills and supporting  
433 increased, sustained, quality parental engagement in community  
434 affairs. The fund shall receive federal or private money from grants  
435 and gifts made pursuant to section 17a-18.]

436 [(d)] (c) On or before July 1, 2010, and annually thereafter, the  
437 Children's Trust Fund Council and the commissioner shall report, in  
438 accordance with the provisions of section 11-4a, to the Governor and  
439 the joint standing committees of the General Assembly having  
440 cognizance of matters relating to human services, public health and  
441 education concerning the source and amount of funds received by the  
442 Children's Trust Fund, [and the Parent Trust Fund,] and the manner in  
443 which such funds were administered and disbursed.

444 Sec. 5. Section 17b-12 of the 2010 supplement to the general statutes  
445 is repealed and the following is substituted in lieu thereof (*Effective*  
446 *from passage*):

447 The Commissioner of Social Services may accept and receive, on  
448 behalf of the Department of Social Services or on behalf of the  
449 Children's Trust Fund [or the Parent Trust Fund] established pursuant  
450 to section 17b-751, as amended by this act, any bequest or gift of  
451 personal property for services for a person who is, or members of  
452 whose immediate family are, receiving assistance or services from the  
453 Department of Social Services, or both, or for services for a former or  
454 potential recipient of assistance from the Department of Social Services  
455 or for programs or services described in section 17b-751, as amended  
456 by this act. Any federal funds generated by virtue of any such bequest  
457 or gift may be used for the extension of services to such person or  
458 family members.

459 Sec. 6. (NEW) (*Effective from passage*) There is established a Parent  
460 Trust Fund, the resources of which shall be used by the Commissioner  
461 of Education to fund programs aimed at improving the health, safety  
462 and education of children by training parents in civic leadership skills  
463 and supporting increased, sustained, quality parental engagement in  
464 community affairs. The commissioner may accept on behalf of the fund  
465 any federal funds or private grants or gifts made for purposes of this  
466 section. The fund may receive state funds. The commissioner shall use  
467 such funds to make grants to programs for purposes described in this  
468 section.

469 Sec. 7. (*Effective from passage*) The unexpended balance of funds in  
470 the Parent Trust Fund, established under section 17b-751 of the general  
471 statutes, revision of January 1, 2009, shall be transferred to the Parent  
472 Trust Fund established under section 6 of this act.

473 Sec. 8. (NEW) (*Effective July 1, 2010*) A local or regional board of  
474 education for a school district with a dropout rate of eight per cent or  
475 greater in the previous school year, shall establish an online credit  
476 recovery program. Such program shall allow those students who are  
477 identified by certified personnel as in danger of failing to graduate to  
478 complete on-line coursework approved by the local or regional board  
479 of education for credit toward meeting the high school graduation

480 requirement pursuant to section 10-221a of the general statutes, as  
481 amended by this act. Each school in the school district shall designate,  
482 from among existing staff, an online learning coordinator who shall  
483 administer and coordinate the online credit recovery program  
484 pursuant to this section.

485 Sec. 9. Subsection (f) of section 10-221 of the general statutes is  
486 repealed and the following is substituted in lieu thereof (*Effective July*  
487 *1, 2010*):

488 (f) Not later than September 1, 1998, each local and regional board of  
489 education shall develop, adopt and implement written policies and  
490 procedures to encourage parent-teacher communication. These policies  
491 and procedures may include monthly newsletters, required regular  
492 contact with all parents, flexible parent-teacher conferences, drop-in  
493 hours for parents, home visits and the use of technology such as  
494 homework hot lines to allow parents to check on their children's  
495 assignments and students to get assistance if needed. For the school  
496 year commencing July 1, 2010, and each school year thereafter, such  
497 policies and procedures shall require the district to conduct two  
498 flexible parent-teacher conferences for each school year.

499 Sec. 10. (*Effective July 1, 2010*) (a) There is established a task force to  
500 study and monitor the academic achievement gap between racial and  
501 socioeconomic groups in Connecticut by considering effective  
502 approaches to closing the achievement gap in elementary, middle and  
503 high schools. The task force shall consider, but not be limited to, the  
504 following: (1) Systematic education planning; (2) best practices in  
505 public education; (3) professional development for teachers; and (4)  
506 parental involvement in public education.

507 (b) The task force shall consist of the following members:

508 (1) Two appointed by the speaker of the House of Representatives;

509 (2) Two appointed by the president pro tempore of the Senate;

510 (3) One appointed by the majority leader of the House of  
511 Representatives;

512 (4) One appointed by the majority leader of the Senate;

513 (5) One appointed by the minority leader of the House of  
514 Representatives;

515 (6) One appointed by the minority leader of the Senate; and

516 (7) The Commissioner of Education, or the commissioner's designee.

517 (c) Any member of the task force appointed under subdivision (1),  
518 (2), (3), (4), (5) or (6) of subsection (b) of this section may be a member  
519 of the General Assembly.

520 (d) All appointments to the task force shall be made no later than  
521 August 1, 2010, and shall reflect the geographic and cultural diversity  
522 of the state and shall have experience in business, education and  
523 philanthropic organizations. Any vacancy shall be filled by the  
524 appointing authority.

525 (e) The speaker of the House of Representatives and the president  
526 pro tempore of the Senate shall select the chairpersons of the task  
527 force, from among the members of the task force. Such chairpersons  
528 shall schedule the first meeting of the task force, which shall be held no  
529 later than September 1, 2010.

530 (f) The administrative staff of the joint standing committee of the  
531 General Assembly having cognizance of matters relating to education  
532 shall serve as administrative staff of the task force.

533 (g) Not later than January 1, 2011, the task force shall submit a  
534 report on its findings and recommendations to the joint standing  
535 committee of the General Assembly having cognizance of matters  
536 relating to education, in accordance with the provisions of section 11-  
537 4a of the general statutes. The task force shall terminate on the date  
538 that it submits such report or January 1, 2011, whichever is later.

539 Sec. 11. (NEW) (*Effective July 1, 2010*) (a) For the school year  
 540 commencing July 1, 2011, and each school year thereafter, each local  
 541 and regional board of education shall provide an advanced placement  
 542 course program. For purposes of this section, "advanced placement  
 543 course program" means a program that provides courses at the high  
 544 school level for which an advanced placement examination is available  
 545 through the College Board.

546 (b) The State Board of Education shall develop guidelines to aid  
 547 local and regional boards of education in training teachers for teaching  
 548 advanced placement courses to a diverse student body.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2010</i>	10-223e
Sec. 2	<i>July 1, 2010</i>	New section
Sec. 3	<i>July 1, 2010</i>	New section
Sec. 4	<i>from passage</i>	17b-751
Sec. 5	<i>from passage</i>	17b-12
Sec. 6	<i>from passage</i>	New section
Sec. 7	<i>from passage</i>	New section
Sec. 8	<i>July 1, 2010</i>	New section
Sec. 9	<i>July 1, 2010</i>	10-221(f)
Sec. 10	<i>July 1, 2010</i>	New section
Sec. 11	<i>July 1, 2010</i>	New section

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

**OFA Fiscal Note**

**State Impact:**

Agency Affected	Fund-Effect	FY 11 \$	FY 12 \$
Education, Dept.	GF - Cost	See Below	See Below
Comptroller Misc. Accounts (Fringe Benefits) <sup>1</sup>	GF - Cost	15,996	39,906

Note: GF=General Fund

**Municipal Impact:**

Municipalities	Effect	FY 11 \$	FY 12 \$
Local and Regional School Districts	Cost	See Below	See Below

**Explanation**

**Section 1** requires, beginning in FY 11, that local and regional boards of education identified as low achieving due to not meeting adequate yearly progress in mathematics or reading, must establish a school governance council and allows schools identified as in need of improvement to establish a school governance council, if they so choose. There are currently 39 districts with schools in corrective action and 192 schools in corrective action. It is anticipated that creating governance councils, through elections, will cost less than \$5,000 per each election cycle and at least, an additional \$5,000 in stipend payments, annually. Additionally, the section will result in minimal costs to local and regional boards of education associated with providing training and instruction to members of the governance

<sup>1</sup> The estimated non-pension fringe benefit rate as a percentage of payroll is 26.66% which includes health insurance, social security, Medicare, life insurance, and unemployment compensation. Fringe benefit costs for new positions do not include pension costs as new positions will not impact the state's pension contribution until FY 12 after the next scheduled actuarial valuation.

councils.

**Section 1** also requires the Commissioner of Education to evaluate school governance councils, which will result in a minimal cost of less than \$10,000 to SDE.

**Sections 2 and 3** require the State Department of Education (SDE) to monitor and evaluate a number of specific items related to schools that have been reconstituted, and school governance councils, and requires SDE to submit a series of reports. It is anticipated that SDE will require an additional staff person, beginning in FY 13, with an annual salary of approximately \$60,000 plus fringe benefits<sup>2</sup>, to complete the evaluation and reporting requirements contained in **Sections 2 and 3**.

**Sections 4 and 5** eliminate the Parent Trust Fund within the Department of Social Services (DSS). The original FY 11 appropriation for the Parent Trust Fund was \$500,000.

**Sections 6 and 7** create a new Parent Trust Fund, allowing the Commissioner of Education to use the resources of the fund to make grants to programs aimed at improving the health, safety and education of children. The balance from the Parents Trust Fund, \$500,000 within DSS will be transferred to the newly established Parent Trust Fund.

**Section 8** creates an online credit recovery program for schools with a drop out rate of 8% or greater. This program could result in a potential cost to local and regional boards of education if, (1) the school currently does not offer or have access to any on line courses or (2) if the school does not have the capacity to designate an existing staff member as the on line learning coordinator. There are currently 19 school districts with drop out rates greater than 8%. The costs

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<sup>2</sup> The estimated non-pension fringe benefit rate as a percentage of payroll is 26.66% which includes health insurance, social security, Medicare, life insurance, and unemployment compensation. Fringe benefit costs for new positions do not include pension costs as new positions will not impact the state's pension contribution until FY 12 after the next scheduled actuarial valuation.

incurred by local and regional school districts may be offset if students requiring a limited number of credits graduate on time, rather than enrolling full-time the following year.

**Section 9** requires local and regional boards of education to conduct two parent conferences per year, and is not anticipated to result in a fiscal impact.

**Section 10** creates a task force to study issues related to the achievement gap. The Office of Legislative Management would incur minimal costs associated with mileage reimbursement of 50 cents per mile for legislators participating on the task force. The taskforce will terminate in FY 12, so there will be no additional costs beyond that date.

**Section 11** requires local and regional boards of education to offer an advanced placement (AP) course program, and for SDE to develop guidelines for training teachers for teaching AP courses. Developing an advance placement course program could result in a cost to various local and regional boards of education that do not currently have similar programs in place, and must offer new programs, or hire additional teachers to teach the new classes. For larger districts that currently do not have this type of program, the costs could be significant. Teachers teaching an AP course for the first time are encouraged by the College Board to participate in a five day training, which costs approximately \$800, which would be paid by the local or regional board of education.

Additionally, there will be an increased cost to SDE associated with developing a training program for teachers teaching AP classes. It is anticipated that the increased costs for SDE would be under \$75,000, and would be one-time in nature. Lastly, SDE is responsible for paying for students taking the AP exam. It is anticipated that the costs of administering the additional AP exams would be approximately \$50,000-\$150,000, annually. This cost will not require an additional appropriation, as the costs will be covered by the Accountability Grant

line item, within SDE.

House "A" (LCO 4776) struck the original bill and its associated fiscal impact and resulted in the fiscal impact described above.

***The Out Years***

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

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**OLR Bill Analysis****sHB 5491 (as amended by House "A")\******AN ACT CONCERNING CERTAIN SCHOOL DISTRICT REFORMS TO REDUCE THE ACHIEVEMENT GAP IN CONNECTICUT.*****SUMMARY:**

The bill requires school boards with low-achieving schools to create school governance councils made up mostly of students' parents or guardians. The councils are empowered to, among other things, advise the principal on the school budget before it is submitted to the superintendent, interview candidates to fill principal vacancies, and vote to reconstitute low-achieving schools using models included in the bill.

A council must indicate which reorganization model it prefers from a list of three choices in the federal No Child Left Behind (NCLB) law, two choices in state law, and any other choice to be developed later under NCLB. The bill provides a process for the choice to be considered at a hearing and later the local board of education must accept it or choose an alternative. When the council and the local board make different choices, the education commissioner must pick one to implement.

It also:

1. requires the State Department of Education (SDE) to report periodically to the Education Committee on the progress of the reconstituted schools and school governance councils;
2. transfers the Parent Trust Fund from the Department of Social Services (DSS) to the SDE, allows the fund to receive state

money, and requires the education commissioner, rather than DSS, to use the fund to improve parental involvement;

3. requires districts with a dropout rate of 8% or higher to provide on-line credit recovery courses;
4. requires school districts to hold two, rather than one, parent-teacher conferences a year;
5. establishes an achievement gap task force; and
6. requires high schools to offer courses for which an advanced placement exam is available.

\*House Amendment "A" (1) eliminates provisions relating to (a) the parent petition as a means to reconstitute a school, (b) innovation schools, (c) teacher evaluation, and (d) credit for online course work; (2) changes the make up of the governance councils to include more teachers and fewer parents; (3) makes changes to the governance council duties and to steps in the reconstitution process; (4) specifies that a school may not be reconstituted until the council has existed for at least two years; (5) adds provisions requiring SDE to evaluate and report on school governance councils, the reconstituted schools, and the reconstitution models; and (6) transfers the Parent Trust Fund from DSS to SDE and allows it to receive state money.

EFFECTIVE DATE: July 1, 2010, except the transfer of the Parent Trust Fund to SDE, which is effective on passage.

### **§ 1(G) — SCHOOL GOVERNANCE COUNCILS**

The bill requires, on and after July 1, 2010, any board of education that has a low-achieving school as defined in state law (see BACKGROUND) due to the school not making adequate yearly progress in mathematics and reading at the whole school level to establish a school governance council for the school. If the failure to make adequate yearly progress in mathematics and reading at the whole school level was before July 1, 2010 and the school is among the

lowest 5% of Connecticut schools based on achievement, the council must be established by January 15, 2011. If the school is not among the lowest 5% of Connecticut schools based on achievement, the council must be established by November 1, 2011.

The bill authorizes a school board to establish a council for a school identified as in need of improvement. (Low-achieving schools are a subset of the in-need-of-improvement group.)

The bill states a council is considered a component of parental involvement for purposes of federal funding under NCLB.

### ***Membership, Voting Rights, and Terms***

The school governance councils consist of 14 voting members plus nonvoting members. See Table 1 below.

**Table 1: Governance Council Membership and Selection Process**

<b>Member</b>	<b>Number</b>	<b>Selection/Election Process</b>
Parents or guardians of students at the school	7	elected by the parents or guardians of students attending the school, each household with a student attending the school will have one vote
Community leaders within the school district	2	elected by the parent or guardian members and teacher members of the governance council
Teachers at the school	5	elected by the teachers of the school
School principal or designee (non voting)	1	principal may name a designee
Student members, high school councils only (non-voting)	2	elected by the school's student body

Voting members have two-year terms, and no member can serve more than two terms on a council. The nonvoting student members

serve a one-year term, and no student member can serve more than two terms.

### ***Council Responsibilities***

School governance councils are responsible for:

1. analyzing school achievement data and school needs as they relate to the school's improvement plan prepared according to the bill;
2. reviewing the fiscal objectives of the school's draft budget and advising the principal before the budget is submitted to the superintendent;
3. participating in the hiring process of the school principal or other administrators by conducting candidate interviews and reporting on them to the superintendent and the local and regional board of education;
4. assisting the principal in making programmatic and operational changes to improve the school's achievement, including program changes, adjusting school hours and days of operation, and enrollment goals;
5. working with school administrators in developing and approving a school compact for parents, legal guardians, and students that outlines the criteria and responsibilities for enrollment and school membership consistent with the school's goals and academic focus and the ways that parents and school personnel can build a partnership to improve student learning;
6. developing and approving a written school parent involvement policy that outlines the role of parents and guardians;
7. using records relating to information about parents and guardians maintained by the local or regional board of education for the sole purpose of council election; and

8. determining whether to reorganize the school in accordance with the bill.

### ***Reconstituting Schools***

A governance council can vote to reconstitute a school under the bill's provisions during the third year after the council was established. A council may not vote to reconstitute if (1) the school was already reconstituted as a result of receiving federal education grants that were contingent on reconstitution (Sec. 10003(g) of Title I of the Elementary and Secondary Education Act, 20 USC 6301 et seq.) or (2) a reconstitution was initiated by another source.

A vote to reconstitute must recommend one of the following models for reconstitution:

1. turnaround;
2. restart;
3. transformation;
4. CommPACT school, pursuant to Connecticut statute (see BACKGROUND for details of models 1-4);
5. an innovation school, (see BACKGROUND) and
6. any other model developed later under NCLB.

No later than 10 days after the council tells the local or regional board of education about its vote to reorganize the board must hold a public hearing to discuss the vote.

At the board's next regularly scheduled meeting or 10 days after the public hearing, whichever is later, it must vote on whether to (1) accept the model recommended by the council, (2) select an alternative model described in the bill or (3) maintain the current school status. If the board selects an alternative model, it must meet with the governance council within 10 days of its vote to discuss which alternative to adopt.

If the board and council cannot agree, the education commissioner must decide, no later than 45 days after the last meeting between the board and the council, which of the alternatives to implement.

If the board votes to maintain the current school status, no later than 45 days after the vote, the commissioner must decide whether to implement the council's recommended model or to maintain the current school status.

### ***Reorganization Implementation***

If the final decision is adoption of a model, the board must implement the model during the following subsequent school year in conformance with the state law and applicable regulations, federal regulations and guidelines for school restructuring under NCLB, or any other applicable federal laws or regulations. It is not clear if a reconstitution decision made in May or June would give a school district enough time to reorganize a school by September.

### ***Additional Powers of a Governance Council***

In addition to the responsibilities a council must address, the bill authorizes a councils to address other issues. A council may:

1. in those schools that require an improvement plan, review the annual draft report detailing the goals in the state accountability plan prepared under existing law for low-achieving schools and advise the principal before the report is submitted to the superintendent of schools;
2. in those schools where an improvement plan becomes required under state accountability law for low-achieving schools, assist the principal in developing the plan before it is submitted to the superintendent of schools;
3. work with the principal to develop, conduct, and report the results of an annual survey of parents, guardians, and teachers on issues related to the school climate and conditions; and

4. provide advice to the principal on any other major policy matters affecting the school, except on matters relating to collective bargaining agreements between the teachers and the board of education.

The bill requires boards of education to provide appropriate training and instruction to members of governance council to aid them in executing their duties.

### ***Annual Statewide Limits on Reconstitutions***

The SBE cannot allow more than 25 schools per school year to be reconstituted under the bill's provisions. The SBE must notify school districts and governance councils when this limit is reached. A reconstitution counts toward this limit when the SBE receives notice of its by the school board and the board's final decision on it.

### ***Evaluating School Governance Councils***

The education commissioner must evaluate the councils established on or before January 15, 2011, based on the bill's criteria for monitoring reconstituted schools (see below). By October 1, 2014, the commissioner must report to the Education Committee on the evaluation. The report must include recommendations whether to continue to allow school governance councils to recommend reconstitution.

## **§ 2 —MONITORING OF RECONSTITUTED SCHOOLS**

The bill requires SDE, within available appropriations, to monitor schools for two years after reconstitution for progress based on the following indicators:

1. the reconstitution model adopted;
2. length of school day and year;
3. number and type of disciplinary incidents;
4. student attendance and dropout rates and the number of

truants;

5. average state mastery test scale scores;
6. for high schools, the number and percentage of students completing advance placement courses;
7. teacher attendance rate; and
8. the existence and size of the parent-teacher organizations.

By January 1, 2012, the department must report to the Education Committee on the number of school governance councils established under the bill, the number of schools that have been reconstituted, and the reconstitution models adopted. By January 1, 2013, the department must report to the committee on (1) the results of the school monitoring, (2) recommended changes in the reconstitution models available, (3) whether school governance councils should continue to recommend reconstitution, (4) a comparison of the models adopted, and (5) the progress of the schools adopting each model based on the bill's indicators.

### **§ 3 – NUMBER OF SCHOOL GOVERNANCE COUNCILS AND COMPARISON OF RECONSTITUTION DECISIONS**

By July 1, 2011 and every two years thereafter, the bill requires the SDE, within available appropriations, to report to the Education Committee (1) the number of school governance councils started under the bill, (2) a comparison of the councils that have initiated reconstitutions with those that have not, and (3) whether there is increased parental involvement at schools with governance councils.

The department must report annually, starting by July 1, 2011, to the committee on these school governance council evaluations.

### **§§ 4-7 — PARENT TRUST FUND TRANSFERRED**

The bill transfers the Parent Trust Fund from the Department of Social Services (DSS) to SDE. As under current law, the education commissioner must use the fund for programs aimed at improving

children's health, safety, and education through parents' community involvement. The programs must (1) train parents in civic leadership skills and (2) support increased, sustained parental engagement in community affairs.

In addition to allowing the fund, as under current law, to receive private and federal funds, the bill also allows it to receive state funds. The bill transfers the unspent balance of the existing fund under DSS to the fund under SDE. The bill eliminates the explicit authority for the parent Trust Fund to receive money through the Children's Trust Fund and makes other conforming changes.

### **§ 8 — ON-LINE CREDIT RECOVERY PROGRAM**

The bill requires a board of education for a school district with a dropout rate of 8% or greater in the previous school year, to establish an on-line credit recovery program for students who are identified as being in danger of failing to graduate. These students, once identified by certified personnel, must be allowed to complete on-line district-approved coursework toward meeting high school graduation requirements. Each school in the school district must designate, from among existing staff, an online learning coordinator to administer and coordinate the online credit recovery program.

### **§ 9 — PARENT-TEACHER CONFERENCES**

By law, each local and regional board of education must have written policies to encourage parent-teacher communication. Starting with the 2010-11 school year, the policies must require school districts to hold two flexible parent-teacher conferences per year.

### **§ 10 — ACHIEVEMENT GAP TASK FORCE**

The bill establishes a nine-member task force to study, monitor, and consider effective ways to close the achievement gap between racial and socioeconomic groups in Connecticut. The task force must consider at least: (1) systematic education planning, (2) best practices in public education, (3) teacher professional development, and (4) parental involvement in public education. It must report its findings

and recommendations to the Education Committee by January 1, 2011.

The task force consists of the education commissioner or the commissioner's designee and eight members appointed by legislative leaders as follows: two each by the House speaker and Senate president pro tempore and one each by the House and Senate majority and minority leaders. Appointments must be made by August 1, 2010. Appointees must reflect the geographical and cultural diversity of the state and have experience in business, education, and philanthropic organizations. Legislative leaders' appointees may be legislators.

The House speaker and Senate president pro tempore select the task force chairpersons, who must schedule the first meeting by September 1, 2010. The Education Committee's administrative staff serves as the task force's administrative staff. The task force terminates when it submits its report or on January 1, 2011, whichever is later.

## **§ 11 — ADVANCED PLACEMENT COURSES**

Starting July 1, 2011, the bill requires local and regional boards of education to provide high school level courses for which an advanced placement (AP) examination is available through the College Board. It also requires SBE to develop guidelines to help school districts to train teachers to teach AP courses to a diverse student body.

### **BACKGROUND**

#### ***Low-Achieving Schools/Districts***

Under the state accountability law (CGS § 10-223e) and the federal NCLB (P.L. 107-110), the state must identify all schools and districts in need of improvement. If these schools also require corrective action under NCLB, they are designated as low-achieving and are subject to intensified SBE supervision.

#### ***School Reorganization Models***

The turnaround, restart, and transformation models are all detailed in the NCLB law. They are each intended to restructure low-achieving schools.

The turnaround model includes, among other actions, replacing the principal and at least 50% of the school’s staff, adopting a new governance structure, and implementing a new or revised instructional program with increased learning time. It includes continuous use of data to inform and differentiate instruction.

In the restart model, a school district converts a school or closes a school and reopens it under the management of a charter school operator, a charter management organization (CMO), or an educational management organization (EMO) that has been selected through a rigorous review process. This model is anticipated to mean that much of the school staff will not return under the new management, although that is not stated explicitly.

The transformation model includes, among other things, replacing the principal, implementing a new evaluation system that uses student growth as a significant factor, and identifying and rewarding staff who are increasing student outcomes and supporting and then removing staff who are not. It includes continuous use of data to inform and differentiate instruction.

**COMMITTEE ACTION**

Education Committee

Joint Favorable Substitute Change of Reference  
Yea 19 Nay 11 (03/24/2010)

Appropriations Committee

Joint Favorable  
Yea 46 Nay 9 (04/01/2010)