



Senate

General Assembly

File No. 343

February Session, 2010

Substitute Senate Bill No. 275

Senate, April 7, 2010

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 THE RECOMMENDATIONS BY THE LEGISLATIVE COMMISSIONERS FOR TECHNICAL REVISIONS TO THE EDUCATION STATUTES.

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

1 Section 1. Subdivision (2) of section 10-16y of the 2010 supplement
2 to the general statutes is repealed and the following is substituted in
3 lieu thereof (*Effective from passage*):

4 (2) Coordinating the enhancement and implementation of the Early
5 Childhood Information System, in consultation with the Early
6 Childhood Education Cabinet established pursuant to section 10-16z,
7 with the capability of tracking: (A) The health, safety and school
8 readiness of all children receiving early care and education from any
9 local or regional board of education or any program receiving public
10 funding, in a manner similar to the system described in section 10-10a;
11 (B) the characteristics of the existing and potential workforce serving
12 such children in any local or regional school district or in a program
13 receiving any public funding; and (C) the characteristics of the

14 programs in which such children are served. The Department of
15 Education shall be responsible for assigning unique identifiers to all
16 such children and staff and programs tracked by the Early Childhood
17 Information System. Any local or regional board of education, school
18 readiness program, as defined in subdivision (1) of subsection (a) of
19 section 10-16p receiving any public funding, or any child day care
20 center described in subdivision (1) of section 19a-77 and licensed by
21 the Department of Public Health, including any participating in a
22 program administered by the Department of Social Services pursuant
23 to chapter 319rr, shall ensure that all children and all staff in such
24 center or program are entered into the Early Childhood Information
25 System.

26 Sec. 2. Subsection (k) of section 10-145b of the 2010 supplement to
27 the general statutes is repealed and the following is substituted in lieu
28 thereof (*Effective from passage*):

29 (k) Not later than thirty days after receipt of notification, any initial
30 educator certificate holder who is not granted a provisional educator
31 certificate, or any provisional educator certificate holder who is not
32 granted a professional educator certificate, or any professional
33 educator certificate holder who is not granted a continuation, under
34 the provisions of sections 10-145a to 10-145d, inclusive, and 10-146b,
35 may appeal to the State Board of Education for reconsideration. Said
36 board shall review the records of the appropriate certification period,
37 and, if a hearing is requested in writing, hold such hearing not later
38 than sixty days after such request and render a written decision not
39 later than thirty days after the conclusion of such hearing. Any teacher
40 aggrieved by the decision of said board may appeal from such decision
41 in accordance with the provisions of section 4-183 and such appeal
42 shall be privileged with respect to assignment of such appeal.

43 Sec. 3. Subsection (b) of section 10-158a of the 2010 supplement to
44 the general statutes is repealed and the following is substituted in lieu
45 thereof (*Effective from passage*):

46 (b) Subject to the provisions of subsection (c) of this section, any

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

61 Sec. 4. Subsection (a) of section 10-220 of the 2010 supplement to the
62 general statutes is repealed and the following is substituted in lieu
63 thereof (*Effective from passage*):

64 (a) Each local or regional board of education shall maintain good
65 public elementary and secondary schools, implement the educational
66 interests of the state as defined in section 10-4a and provide such other
67 educational activities as in its judgment will best serve the interests of
68 the school district; provided any board of education may secure such
69 opportunities in another school district in accordance with provisions
70 of the general statutes and shall give all the children of the school
71 district as nearly equal advantages as may be practicable; shall provide
72 an appropriate learning environment for its students which includes
73 (1) adequate instructional books, supplies, materials, equipment,
74 staffing, facilities and technology, (2) equitable allocation of resources
75 among its schools, (3) proper maintenance of facilities, and (4) a safe
76 school setting; shall have charge of the schools of its respective school
77 district; shall make a continuing study of the need for school facilities
78 and of a long-term school building program and from time to time
79 make recommendations based on such study to the town; shall adopt
80 and implement an indoor air quality program that provides for

81 ongoing maintenance and facility reviews necessary for the
82 maintenance and improvement of the indoor air quality of its facilities;
83 shall adopt and implement a green cleaning program, pursuant to
84 section 10-231g, that provides for the procurement and use of
85 environmentally preferable cleaning products in school buildings and
86 facilities; shall report biennially to the Commissioner of Education on
87 the condition of its facilities and the action taken to implement its long-
88 term school building program, indoor air quality program and green
89 cleaning program, which report the Commissioner of Education shall
90 use to prepare a biennial report that said commissioner shall submit in
91 accordance with section 11-4a to the joint standing committee of the
92 General Assembly having cognizance of matters relating to education;
93 shall advise the Commissioner of Education of the relationship
94 between any individual school building project pursuant to chapter
95 173 and such long-term school building program; shall have the care,
96 maintenance and operation of buildings, lands, apparatus and other
97 property used for school purposes and at all times shall insure all such
98 buildings and all capital equipment contained therein against loss in
99 an amount not less than eighty per cent of replacement cost; shall
100 determine the number, age and qualifications of the pupils to be
101 admitted into each school; shall develop and implement a written plan
102 for minority staff recruitment for purposes of subdivision (3) of section
103 10-4a; shall employ and dismiss the teachers of the schools of such
104 district subject to the provisions of sections 10-151 and 10-158a, as
105 amended by this act; shall designate the schools which shall be
106 attended by the various children within the school district; shall make
107 such provisions as will enable each child of school age [,] residing in
108 the district to attend some public day school for the period required by
109 law and provide for the transportation of children wherever
110 transportation is reasonable and desirable, and for such purpose may
111 make contracts covering periods of not more than five years; may
112 place in an alternative school program or other suitable educational
113 program a pupil enrolling in school who is nineteen years of age or
114 older and cannot acquire a sufficient number of credits for graduation
115 by age twenty-one; may arrange with the board of education of an

116 adjacent town for the instruction therein of such children as can attend
117 school in such adjacent town more conveniently; shall cause each child
118 five years of age and over and under eighteen years of age who is not a
119 high school graduate and is living in the school district to attend
120 school in accordance with the provisions of section 10-184, and shall
121 perform all acts required of it by the town or necessary to carry into
122 effect the powers and duties imposed by law.

123 Sec. 5. Subsection (a) of section 10-221d of the 2010 supplement to
124 the general statutes is repealed and the following is substituted in lieu
125 thereof (*Effective from passage*):

126 (a) Each local and regional board of education shall (1) require each
127 applicant for a position in a public school to state whether such person
128 has ever been convicted of a crime or whether criminal charges are
129 pending against such person at the time of such person's application,
130 (2) require, subject to the provisions of subsection (d) of this section,
131 each person hired by the board after July 1, 1994, to submit to state and
132 national criminal history records checks within thirty days from the
133 date of employment and may require, subject to the provisions of
134 subsection (d) of this section, any person hired prior to said date to
135 submit to state and national criminal history records checks, and (3)
136 require each worker (A) placed within a school under a public
137 assistance employment program, (B) employed by a provider of
138 supplemental services pursuant to the No Child Left Behind Act, P.L.
139 107-110, or (C) on and after July 1, 2010, in a nonpaid, noncertified
140 position completing preparation requirements for the issuance of an
141 educator certificate pursuant to chapter 166, who performs a service
142 involving direct student contact to submit to state and national
143 criminal history records checks within thirty days from the date such
144 worker begins to perform such service. The criminal history records
145 checks required by this subsection shall be conducted in accordance
146 with section 29-17a. If the local or regional board of education receives
147 notice of a conviction of a crime which has not previously been
148 disclosed by such person to the board, the board may (i) terminate the
149 contract of a certified employee, in accordance with the provisions of

150 section 10-151, and (ii) dismiss a noncertified employee provided such
151 employee is notified of the reason for such dismissal, is provided the
152 opportunity to file with the board, in writing, any proper answer to
153 such criminal conviction and a copy of the notice of such criminal
154 conviction, the answer and the dismissal order are made a part of the
155 records of the board. In addition, if the local or regional board of
156 education receives notice of a conviction of a crime by a person (I)
157 holding a certificate, authorization or permit issued by the State Board
158 of Education, (II) employed by a provider of supplemental services, or
159 (III) on and after July 1, 2010, in a nonpaid, noncertified position
160 completing preparation requirements for the issuance of an educator
161 certificate pursuant to chapter [106] 166, the local or regional board of
162 education shall send such notice to the State Board of Education. The
163 supervisory agent of a private school may require any applicant for a
164 position in such school or any employee of such school to submit to
165 state and national criminal history records checks in accordance with
166 the procedures described in this subsection.

167 Sec. 6. Section 10a-89g of the 2010 supplement to the general statutes
168 is repealed and the following is substituted in lieu thereof (*Effective*
169 *from passage*):

170 (a) The Chancellor of the Connecticut State University System shall,
171 after consultation with the Department of Education, the Department
172 of Higher Education, the appropriate bargaining unit for the faculty of
173 the Connecticut State University System and other stakeholders,
174 develop a voluntary plan for beginning teachers participating in the
175 Teacher Education and Mentoring Program to receive [credits] credit
176 hours from one of the Connecticut state universities toward a master's
177 degree upon successful completion of all five instructional modules,
178 described in section 10-145o. The plan shall include: (1) A process for
179 awarding the credits; (2) costs associated with the administration of the
180 program; and (3) potential sources of funding.

181 (b) The Chancellor shall submit the plan on or before February 1,
182 2011, to the joint standing committees of the General Assembly having

183 cognizance of matters relating to education and higher education and
184 employment advancement. The plan shall take effect on July 1, 2011.

| | | |
|---|---------------------|------------|
| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>from passage</i> | 10-16y(2) |
| Sec. 2 | <i>from passage</i> | 10-145b(k) |
| Sec. 3 | <i>from passage</i> | 10-158a(b) |
| Sec. 4 | <i>from passage</i> | 10-220(a) |
| Sec. 5 | <i>from passage</i> | 10-221d(a) |
| Sec. 6 | <i>from passage</i> | 10a-89g |

ED *Joint Favorable Subst.*

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: None

Municipal Impact: None

Explanation

The bill, which makes various technical changes, is not anticipated to result in a fiscal impact.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis

sSB 275

AN ACT CONCERNING THE RECOMMENDATIONS BY THE LEGISLATIVE COMMISSIONERS FOR TECHNICAL REVISIONS TO THE EDUCATION STATUTES.

SUMMARY:

This bill makes technical changes to the education statutes.

EFFECTIVE DATE: Upon passage

COMMITTEE ACTION

Education Committee

Joint Favorable Substitute

Yea 32 Nay 0 (03/19/2010)