



General Assembly

Substitute Bill No. 440

February Session, 2010

* _____SB00440ED_APP032410_____*

AN ACT CONCERNING SCHOOL DISTRICTS AND TEACHER PERFORMANCE EVALUATION PROGRAMS.

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

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2 statutes is repealed and the following is substituted in lieu thereof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

4 (a) As used in this section:

5 (1) "Educator" means any certified professional employee below the
6 rank of superintendent employed by a local or regional board of
7 education for at least ninety days in a position requiring a certificate
8 issued by the State Board of Education;

9 (2) "Educator preparation program" means a planned sequence of
10 experiences provided by colleges and universities designed to qualify
11 an individual for professional certification as an educator, including,
12 but not limited to, an alternate route to certification program.

13 [(a)] (b) The Department of Education shall develop and implement
14 a state-wide public school information system. The system shall be
15 designed for the purpose of establishing a standardized electronic data
16 collection and reporting protocol that will facilitate compliance with
17 state and federal reporting requirements, improve school-to-school

18 and district-to-district information exchanges, and maintain the
19 confidentiality of individual student and staff data. The initial design
20 shall focus on student information, provided the system shall be
21 created to allow for future compatibility with financial, facility and
22 staff data. The system shall provide for the tracking of the performance
23 of individual students on each of the state-wide mastery examinations
24 under section 10-14n in order to allow the department to compare the
25 progress of the same cohort of students who take each examination
26 and to better analyze school performance. The department shall assign
27 a unique student identifier to each student prior to tracking the
28 performance of a student in the public school information system.

29 (c) On or before July 1, 2012, the department shall, within available
30 appropriations, expand the state-wide public school information
31 system to perform the following functions:

32 (1) Link high school student performance data to postsecondary
33 school performance data to provide information about public school
34 student performance in post-secondary education;

35 (2) Connect the state-wide public school information system with
36 the data systems of public and independent institutions of higher
37 education in the state;

38 (3) Assign unique identifiers to all public school educators for
39 purposes of monitoring student performance in preschool, elementary
40 and secondary schools;

41 (4) Assign unique identifiers to each educator preparation program
42 and attach such unique identifier to the unique identifier for a public
43 school educator who has completed such educator preparation
44 program; and

45 (5) Collect student transcript information, such as information
46 regarding courses completed and grades received.

47 [(b)] (d) The system database of student information shall not be

48 considered a public record for the purposes of section 1-210. Nothing
49 in this section shall be construed to limit the ability of a full-time
50 permanent employee of a nonprofit organization that is exempt from
51 taxation under Section 501(c)(3) of the Internal Revenue Code of 1986,
52 or any subsequent corresponding internal revenue code of the United
53 States, as from time to time amended, and that is organized and
54 operated for educational purposes, to obtain information in accordance
55 with the provisions of subsection [(e)] (g) of this section.

56 [(c)] (e) All school districts shall participate in the system, provided
57 the department provides for technical assistance and training of school
58 staff in the use of the system.

59 [(d)] (f) Local and regional boards of education and preschool
60 programs which receive state or federal funding shall participate, in a
61 manner prescribed by the Commissioner of Education, in the state-
62 wide public school information system described in subsection [(a)] (b)
63 of this section. Participation for purposes of this subsection shall
64 include, but not be limited to, reporting on (1) student experiences in
65 preschool by program type and by numbers of months in each such
66 program, and (2) the readiness of students entering kindergarten and
67 student progress in kindergarten. Such reporting shall be done by
68 October 1, 2007, and annually thereafter.

69 [(e)] (g) On and after August 1, 2009, upon receipt of a written
70 request to access data maintained under this section by a full-time
71 permanent employee of a nonprofit organization that is exempt from
72 taxation under Section 501(c)(3) of the Internal Revenue Code of 1986,
73 or any subsequent corresponding internal revenue code of the United
74 States, as from time to time amended, and that is organized and
75 operated for educational purposes, the Department of Education shall
76 provide such data to such requesting party not later than sixty days
77 after such request, provided such requesting party shall be responsible
78 for the reasonable cost of such request. The Department of Information
79 Technology shall monitor the calculation of such fees charged for
80 access to or copies of such records to ensure that such fees are

81 reasonable and consistent with those charged by other state agencies.
82 The Department of Education shall respond to written requests under
83 this section in the order in which they are received.

84 Sec. 2. Section 10-151b of the general statutes is repealed and the
85 following is substituted in lieu thereof (*Effective July 1, 2010*):

86 (a) The superintendent of each local or regional board of education
87 shall continuously evaluate or cause to be evaluated each teacher, in
88 accordance with (1) a program developed pursuant to subsection (c) of
89 this section, or (2) guidelines established by the State Board of
90 Education for the development of evaluation programs, pursuant to
91 subsection (d) of this section, and such other guidelines as may be
92 established by mutual agreement between the local or regional board
93 of education and the teachers' representative chosen pursuant to
94 section 10-153b. [, continuously evaluate or cause to be evaluated each
95 teacher.] An evaluation pursuant to this [subsection] section shall
96 include, but need not be limited to, strengths, areas needing
97 improvement, [and] strategies for improvement and the academic
98 growth of such teacher's students. Claims of failure to follow the
99 established procedures of such evaluation programs shall be subject to
100 the grievance procedure in collective bargaining agreements
101 negotiated subsequent to July 1, 2004. The superintendent shall report
102 the status of teacher evaluations to the local or regional board of
103 education on or before June first of each year. For purposes of this
104 section, the term "teacher" shall include each professional employee of
105 a board of education, below the rank of superintendent, who holds a
106 certificate or permit issued by the State Board of Education.

107 (b) Each local and regional board of education shall develop and
108 implement (1) teacher evaluation programs, pursuant to subsection (c)
109 of this section, or (2) teacher evaluation programs consistent with
110 guidelines established by the State Board of Education, pursuant to
111 subsection (d) of this section, and consistent with the plan developed
112 in accordance with the provisions of subsection (b) of section 10-220a.

113 (c) On and after July 1, 2011, each local and regional board of
114 education shall incorporate into the teacher evaluation program for the
115 school district the use of data and indicators on student academic
116 growth as a significant factor in evaluating teacher performance. Each
117 local and regional board of education shall (1) develop a teacher
118 evaluation program consistent with the model teacher evaluation
119 program developed by the State Board of Education pursuant to
120 subsection (d) of this section, or (2) adopt the model teacher evaluation
121 program developed by the State Board of Education pursuant to
122 subsection (d) of this section.

123 (d) The State Board of Education shall develop, in consultation with
124 the Performance Evaluation Advisory Council, established pursuant to
125 section 3 of this act, model teacher evaluation program guidelines that
126 may be incorporated in the teacher evaluation programs developed by
127 local and regional boards of education. Such model teacher evaluation
128 program guidelines shall incorporate the use of data and indicators on
129 student academic growth as a significant factor in rating teacher
130 performance. Such model teacher evaluation program guidelines shall
131 include, but not be limited to: (1) Methods for measuring student
132 academic growth, including, but not limited to, time limitations on
133 data relevancy, the types and amount of data needed to reliably and
134 validly measure student academic growth for purposes of teacher
135 evaluations, and criteria for the use of state-wide mastery
136 examinations, pursuant to section 10-14n; (2) a definition of significant
137 factor for purposes of the evaluating teacher performance with student
138 academic growth; (3) a consideration of control factors that may
139 influence teacher performance ratings, including, but not limited to,
140 student characteristics, student attendance and student mobility; and
141 (4) minimum requirements for teacher evaluation instruments and
142 procedures.

143 Sec. 3. (NEW) (*Effective July 1, 2010*) There is established a
144 Performance Evaluation Advisory Council within the Department of
145 Education. Membership of the council shall consist of the
146 Commissioner of Education, or his designee, the Commissioner of

147 Higher Education, or his designee, a representative from the
148 Connecticut Association of Boards of Education, a representative from
149 the Connecticut Association of Public School Superintendents, and
150 those persons selected by the Commissioner of Education who shall
151 include, but not be limited to, teachers, representatives of the exclusive
152 bargaining unit for teachers pursuant to section 10-153b of the general
153 statutes, persons with expertise in performance evaluation processes
154 and systems, and any other person the commissioner deems
155 appropriate. The council shall be responsible for (1) (A) assisting in the
156 State Board of Education in the development and implementation of
157 the model teacher evaluation programs guidelines, pursuant to
158 subsection (d) of section 10-151b of the general statutes, as amended by
159 this act, and (B) the data collection and evaluation support system,
160 pursuant to subsection (g) of section 10-151b of the general statutes, as
161 amended by this act; and (2) defining effective teacher, highly effective
162 teacher, effective principal, highly effective principal and student
163 academic growth for purposes of teacher performance evaluations
164 pursuant to section 10-151b of the general statutes, as amended by this
165 act. The council shall meet at least quarterly.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2010</i>	10-10a
Sec. 2	<i>July 1, 2010</i>	10-151b
Sec. 3	<i>July 1, 2010</i>	New section

ED *Joint Favorable Subst. C/R*