



Substitute Senate Bill No. 929

Public Act No. 11-85

AN ACT CONCERNING CLOSING THE ACADEMIC ACHIEVEMENT GAP.

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

Section 1. (NEW) (*Effective from passage*) (a) There is established a task force to address the academic achievement gaps in Connecticut by considering effective approaches to closing the achievement gaps in elementary, middle and high schools. The task force shall develop, in consultation with the Department of Education, the Connecticut State University System, the Interagency Council for Ending the Achievement Gap established pursuant to section 2 of this act, and the joint standing committee of the General Assembly having cognizance of matters relating to education, a master plan to eliminate the academic achievement gaps by January 1, 2020. Such master plan shall: (1) Identify the achievement gaps that exist among and between (A) racial groups, (B) ethnic groups, (C) socioeconomic groups, (D) genders, and (E) English language learners and students whose primary language is English; (2) focus efforts on closing the achievement gaps identified in subdivision (1) of this subsection; (3) establish annual benchmarks for implementation of the master plan and closing the achievement gaps; (4) make recommendations regarding the creation of a Secretary of Education; and (5) develop a plan for (A) changing the requirement for when a child five years of

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age may enroll in kindergarten pursuant to section 10-15c of the general statutes from January first of the school year to October first of the school year, and (B) the creation of spaces in school readiness programs for those children who reach the age of five after October first of any school year and are no longer eligible to enroll in kindergarten for such school year. The task force may amend such master plan at any time. For purposes of this section, "achievement gaps" means the existence of a significant disparity in the academic performance of students among and between (A) racial groups, (B) ethnic groups, (C) socioeconomic groups, (D) genders, and (E) English language learners and students whose primary language is English.

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

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

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

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

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

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

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

(7) One appointed by the chairman of the Black and Puerto Rican Caucus of the General Assembly;

(8) The Commissioner of Education, or the commissioner's designee; and

(9) One appointed by the Governor.

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(c) Any member of the task force appointed under subdivision (1), (2), (3), (4), (5), (6) or (7) of subsection (b) of this section may be a member of the General Assembly.

(d) All appointments to the task force shall be made not later than thirty days after the effective date of this section. Any vacancy shall be filled by the appointing authority.

(e) The speaker of the House of Representatives and the president pro tempore of the Senate shall select the chairpersons of the task force from among the members of the task force. Such chairpersons shall schedule the first meeting of the task force, which shall be held not later than sixty days after the effective date of this section.

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

(g) (1) Not later than July 1, 2012, the task force shall submit the master plan described in subsection (a) of this section to the joint standing committee of the General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 11-4a of the general statutes, and the Interagency Council for Ending the Achievement Gap described in section 2 of this act.

(2) Not later than January 1, 2013, and annually thereafter until January 1, 2020, the task force shall submit progress reports on the implementation of the master plan described in subsection (a) of this section and recommendations for implementing said master plan to the joint standing committee of the General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 11-4a of the general statutes.

(h) The task force shall terminate on January 1, 2020.

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Sec. 2. (NEW) (*Effective July 1, 2011*) (a) There is established an Interagency Council for Ending the Achievement Gap. The council shall consist of: (1) The Lieutenant Governor, or the Lieutenant Governor's designee, (2) the Commissioner of Education, or the commissioner's designee, (3) the Commissioner of Children and Families, or the commissioner's designee, (4) the Commissioner of Social Services, or the commissioner's designee, (5) the Commissioner of Public Health, or the commissioner's designee, (6) the Commissioner of Higher Education, or the commissioner's designee, (7) the Commissioner of Economic and Community Development, or the commissioner's designee, (8) the Commissioner of Administrative Services, or the commissioner's designee, and (9) the Secretary of the Office of Policy and Management, or the secretary's designee. The chairperson of the council shall be the Lieutenant Governor, or the Lieutenant Governor's designee. The council shall meet at least quarterly.

(b) The Interagency Council for Ending the Achievement Gap shall (1) assist the achievement gap task force, established pursuant to section 1 of this act, in the development of the master plan to eliminate the academic achievement gaps in Connecticut, described in section 1 of this act, (2) implement the provisions of such master plan, and, if necessary, make recommendations for legislation relating to such master plan to the joint standing committee of the General Assembly having cognizance of matters relating to education, and (3) submit annual progress reports on the implementation of such master plan to the joint standing committee of the General Assembly having cognizance of matters relating to education and the achievement gap task force established pursuant to section 1 of this act, in accordance with the provisions of section 11-4a of the general statutes.

(c) The Interagency Council for Ending the Achievement Gap shall be within the Department of Education for administrative purposes

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only.

Sec. 3. Section 10-15 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

Public schools including kindergartens shall be maintained in each town for at least one hundred eighty days of actual school sessions during each year. When public school sessions are cancelled for reasons of inclement weather or otherwise, the rescheduled sessions shall not be held on Saturday or Sunday. Public schools may conduct weekend education programs to provide supplemental and remedial services to students. A local or regional board of education for a school that has been designated as a low achieving school pursuant to subdivision (1) of subsection (c) of section 10-223e may increase the number of actual school sessions during each year, and may increase the number of hours of actual school work per school session in order to improve student performance and remove the school from the list of schools designated as a low achieving school maintained by the State Board of Education. The State Board of Education (1) may authorize the shortening of any school year for a school district, a school or a portion of a school on account of an unavoidable emergency, and (2) may authorize implementation of scheduling of school sessions to permit full year use of facilities which may not offer each child one hundred eighty days of school sessions within a given school year, but which assures an opportunity for each child to average a minimum of one hundred eighty days of school sessions per year during thirteen years of educational opportunity in the elementary and secondary schools. Notwithstanding the provisions of this section and section 10-16, the State Board of Education may, upon application by a local or regional board of education, approve for any single school year, in whole or in part, a plan to implement alternative scheduling of school sessions which assures at least four hundred fifty hours of actual school work for nursery schools and half-day kindergartens and at

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least nine hundred hours of actual school work for full-day kindergartens and grades one to twelve, inclusive.

Sec. 4. Section 10-265g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

(a) Each local and regional board of education for a priority school district shall offer a summer reading program, as described in subsection (d) of section 10-265f, to children enrolled in kindergarten in the schools under its jurisdiction who are determined by their [teachers to need additional reading and reading readiness instruction] school to be substantially deficient in reading based on measures established by the State Board of Education.

(b) For [each] the school year commencing [on or after July 1, 2006] July 1, 2011, and each school year thereafter, each local and regional board of education for a priority school district shall require the schools under its jurisdiction to [evaluate] assess the reading level of students enrolled in (1) kindergarten at the end of the school year, and (2) grades one to three, inclusive, [in] at the beginning, middle [of the school year] and [at the] end of the school year. A student shall be determined to be substantially deficient in reading based on measures established by the State Board of Education. Each school shall provide [a reading program] instruction for such students that incorporates the competencies required for early reading success and effective reading instruction as delineated in section 10-221l. If a student is determined to be substantially deficient in reading based on [a] the beginning, middle [of the school year] or end of the school year [evaluation] assessment, the school shall notify the parents or guardian of the student of such result and the school shall develop and implement [a personal] an individual reading plan for such student.

(c) The [personal] individual reading plan shall include assessment results, applicable federal requirements and additional instruction,

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within available appropriations, such as tutoring, an after school, school vacation, or weekend program or a summer reading program as described in subsection (d) of section 10-265f. [Personal] Individual reading plans pursuant to this section shall be (1) reviewed and revised as appropriate after each [evaluation] assessment or state-wide examination, as appropriate, (2) [discussed with] monitored by school literacy teams that shall consist of, but not be limited to, teachers, school reading specialists, internal or external reading consultants, the school principal and the provider of the additional instruction, and (3) given to the parent or guardian of the student, in accordance with the provisions concerning notice to parents or legal guardians pursuant to section 10-15b, and include specific recommendations for reading strategies that the parent or guardian can use at home. For purposes of providing additional instruction, boards of education for priority school districts shall give preference first to elementary schools and then to middle schools, with the highest number of students who are substantially deficient in reading.

(d) [Promotion of] Educational and instructional decisions for students with [personal] individual reading plans from kindergarten, first, second or third grade shall be based on documented progress in achieving the goals of the [personal] individual reading plan or demonstrated reading proficiency. If a decision is made to promote a student who is substantially deficient in reading from kindergarten, first, second or third grade, the school principal shall provide written justification for such promotion to the superintendent of schools.

(e) [A personal] An individual reading plan that incorporates the competencies required for early reading success and [effective] explicit reading instruction as delineated in section 10-221l shall be maintained for a student who is substantially deficient in reading until the student achieves [a satisfactory] grade level proficiency, as determined by a reading [evaluation] assessment pursuant to [this] subsection (b) of

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this section or a state-wide examination pursuant to section 10-14n.

(f) Subject to the provisions of this subsection and within available appropriations, each local and regional board of education for a priority school district shall require for the [2006-2007] school year commencing July 1, 2011, and each school year thereafter, students in [grades one to] kindergarten to grade three, inclusive, who, based on an end-of-the-year [evaluation] assessment pursuant to subsection (b) of this section, are determined to be substantially deficient in reading, to attend school the summer following such evaluation. The superintendent of schools may exempt an individual student from such requirement, upon the recommendation of the school principal, based on the student's progress with the student's [personal] individual reading plan. If a student does not receive such an exemption, has been offered the opportunity to attend a summer school program and fails to attend summer school, the local or regional board of education shall not promote the student to the next grade.

(g) The superintendent of schools shall report to the Commissioner of Education the information such superintendent receives pursuant to subsection (d) of this section regarding the number of students who are substantially deficient in reading and are promoted from kindergarten, first, second or third grade to the next grade. The State Board of Education shall prepare and publish a report containing such information.

Sec. 5. (*Effective July 1, 2011*) The Commissioner of Education may identify schools to participate in a pilot study for the purposes of promoting best practices in early literacy and closing the academic achievement gaps. The pilot study may assess the reading levels of students more than two times a year and utilize various assessment tools, including, but not limited to, assessments conducted pursuant to section 10-265g of the general statutes, as amended by this act. The Commissioner of Education may waive the assessments, described in

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said section 10-265g, for certain grade levels in participating schools. The schools participating in the pilot study shall comply with federal assessment requirements. The Department of Education may research and evaluate participating schools and such research and evaluation may be conducted in conjunction with external groups or organizations. The commissioner may accept funds from private sources and from any state or federal grants. Not later than October 1, 2013, the department shall report to the joint standing committee of the General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 11-4a of the general statutes, on the findings of the pilot study. For purposes of this section, "achievement gaps" means the existence of a significant disparity in the academic performance of students among and between (1) racial groups, (2) ethnic groups, (3) socioeconomic groups, (4) genders, and (5) English language learners and students whose primary language is English.

Sec. 6. Subsection (b) of section 10-220 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

(b) The board of education of each local or regional school district shall, with the participation of parents, students, school administrators, teachers, citizens, local elected officials and any other individuals or groups such board shall deem appropriate, prepare a statement of educational goals for such local or regional school district. The statement of goals shall be consistent with state-wide goals pursuant to subsection (c) of section 10-4. Each local or regional board of education shall [develop] annually establish student objectives for the school year which relate directly to the statement of educational goals prepared pursuant to this subsection and which identify specific expectations for students in terms of skills, knowledge and competence.

Sec. 7. Subsection (b) of section 10-145f of the general statutes is

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repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

(b) (1) Any person who does not hold a valid certificate pursuant to section 10-145b shall (A) achieve satisfactory scores on the state reading, writing and mathematics competency examination prescribed by and administered under the direction of the State Board of Education, or qualify for a waiver of such test based on criteria approved by the State Board of Education, and (B) achieve a satisfactory evaluation on the appropriate State Board of Education approved subject area assessment in order to be eligible for a certificate pursuant to said section unless such assessment has not been approved by the State Board of Education at the time of application, in which case the applicant shall not be denied a certificate solely because of the lack of an evaluation on such assessment. A person who holds a valid school administrator certificate in another state that is at least equivalent to an initial educator certificate, pursuant to section 10-145b, as determined by the State Board of Education, and has successfully completed three years of experience as a school administrator in a public school in another state or in a nonpublic school approved by the appropriate state board of education during the ten-year period prior to the date of application for a certificate in a school administration endorsement area shall not be required to meet the state reading, writing and mathematics competency examination.

(2) Any person applying for an additional certification endorsement shall achieve a satisfactory evaluation on the appropriate State Board of Education approved subject area assessment in order to be eligible for such additional endorsement, unless such assessment has not been approved by the State Board of Education at the time of application, in which case the applicant shall not be denied the additional endorsement solely because of the lack of an evaluation on such assessment.

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(3) On and after July 1, 1992, any teacher who held a valid teaching certificate but whose certificate lapsed and who had completed all requirements for the issuance of a new certificate pursuant to section 10-145b, except for filing an application for such certificate, prior to the date on which the lapse occurred, may file, within one year of the date on which the lapse occurred, an application with the Commissioner of Education for the issuance of such certificate. Upon the filing of such an application, the commissioner may grant such certificate and such certificate shall be retroactive to the date on which the lapse occurred, provided the commissioner finds that the lapse of the certificate occurred as a result of a hardship or extenuating circumstances beyond the control of the applicant. If such teacher has attained tenure and is reemployed by the same board of education in any equivalent unfilled position for which the person is qualified as a result of the issuance of a certificate pursuant to this subdivision, the lapse period shall not constitute a break in employment for such person reemployed and shall be used for the purpose of calculating continuous employment pursuant to section 10-151. If such teacher has not attained tenure, the time unemployed due to the lapse of a certificate shall not be counted toward tenure, except that if such teacher is reemployed by the same board of education as a result of the issuance of a certificate pursuant to this subdivision, such teacher may count the previous continuous employment immediately prior to the lapse towards tenure. Using information provided by the Teachers' Retirement Board, the Department of Education shall annually notify each local or regional board of education of the name of each teacher employed by such board of education whose provisional certificate will expire during the period of twelve months following such notice. Upon receipt of such notice the superintendent of each local and regional board of education shall notify each such teacher in writing, at such teacher's last known address, that the teacher's provisional certificate will expire.

(4) Notwithstanding the provisions of this subsection to the

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contrary, to be eligible for a certificate to teach subjects for which a bachelor's degree is not required, any applicant who is otherwise eligible for certification in such endorsement areas shall be entitled to a certificate without having met the requirements of the competency examination and subject area assessment pursuant to this subsection for a period not to exceed two years, except that for a certificate to teach skilled trades or trade-related or occupational subjects, the commissioner may waive the requirement that the applicant take the competency examination. The commissioner may, upon the showing of good cause, extend the certificate.

(5) On and after July 1, 2011, any person applying for a certification in the endorsement area of elementary education shall achieve a satisfactory evaluation on the appropriate State Board of Education approved mathematics assessment in order to be eligible for such elementary education endorsement.

Sec. 8. (NEW) (*Effective July 1, 2011*) Not later than July 1, 2012, the Department of Education shall approve and make available model curricula and frameworks in reading and mathematics for grades prekindergarten to grade four, inclusive, for use by local and regional boards of education for school districts or individual schools identified by the department as having academic achievement gaps. Such curricula and frameworks shall be culturally relevant, research-based and aligned with student achievement standards adopted by the State Board of Education. For purposes of this section, "achievement gaps" means the existence of a significant disparity in the academic performance of students among and between (1) racial groups, (2) ethnic groups, (3) socioeconomic groups, (4) genders, and (5) English language learners and students whose primary language is English.

Sec. 9. Section 10-4q of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

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(a) The State Board of Education shall establish a State Education Resource Center to assist the board in the provision of programs and activities that will promote educational equity and excellence. Such activities, to be provided by the State Education Resource Center or a regional educational service center, may include training and continuing education seminars, publication of technical materials, research and evaluation, and other related activities. The center may support programs and activities concerning early childhood education, the federal No Child Left Behind Act, P.L. 107-110, and closing the academic achievement gap between socio-economic subgroups, and other related programs.

(b) The Commissioner of Education, with the assistance of the State Education Resource Center, may provide grants to local and regional boards of education for districts identified as in need of improvement under the provisions of section 10-223e. The grants shall be for the creation and acquisition of new curricula, training in the use of the curricula and related supporting textbooks and other materials. Local and regional boards of education may use such grants only for curricula, training and related textbooks and materials that have been authorized by the commissioner. Local and regional boards of education shall apply for grants pursuant to this subsection at such time and in such manner as the commissioner prescribes, and the commissioner shall determine the amount of the grant awards.

(c) Within available appropriations, the Department of Education shall establish a Connecticut School Reform Resource Center within the State Education Resource Center established pursuant to subsection (a) of this section or by contract through a regional educational service center. The center shall operate year-round and focus on serving the needs of all public schools. The center shall (1) publish and distribute reports on the most effective practices for improving student achievement by successful schools, (2) provide a

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program of professional development activities for (A) school leaders, including curriculum coordinators, principals, superintendents and board of education members, and (B) teachers to educate such students that includes research-based child development and reading instruction tools and practices, (3) provide information on successful models for evaluating student performance and managing student data, (4) develop strategies for assisting such students who are in danger of failing, (5) develop culturally-relevant methods for educating students whose primary language is not English, and [(4)] (6) provide other programs and materials to assist in the improvement of public schools.

Approved July 8, 2011