

TESTIMONY OF
GEORGE A. COLEMAN, ACTING COMMISSIONER OF EDUCATION

ON

RAISED BILLS 1102, 1103, 1105, 6498, 6499, 6500, 6501, 6502

RAISED BILL 1102: AN ACT CONCERNING AUTHORIZATION OF STATE GRANT COMMITMENTS FOR SCHOOL BUILDING PROJECTS AND CONCERNING CHANGES TO THE STATUTES CONCERNING SCHOOL BUILDING PROJECTS

The State Department of Education (CSDE) **supports** Raised Bill #1102, *AAC Authorization of State Grant Commitments for School Building Projects and Concerning Changes to the Statutes Concerning School Building Projects*, to authorize state grant commitments for school building projects and to establish the School Building Projects Advisory Council.

Section 1 of this bill contains the school construction priority list that CSDE submits annually to the General Assembly for approval.

Section 2 of this bill establishes a School Building Projects Advisory Council. Input from and discussion among agencies and industries involved with construction and state financing is extremely valuable for the school construction grant. The CSDE Bureau of School Facilities has been engaged with design professionals and construction managers and town and school business finance representatives for years on a more informal basis.

However, with that said, this advisory council conflicts with the Governor's bill outlining changes to school construction. That expertise would be provided by the new Department of Construction Services.

As such, CSDE **supports** Raised Bill # 1102.

RAISED BILL 1103: AN ACT CONCERNING EARLY CHILDHOOD EDUCATION

The State Department of Education (CSDE) **strongly supports** Raised Bill #1103, *AAC Early Childhood Education*, as it represents a number of the State Board of Education's Legislative proposals for this Legislative session.

Section 2 of this bill allows for the distribution of unallocated competitive school readiness funds to *any* eligible grantee that may serve additional children. Current law allows for the distribution of unallocated competitive school readiness funds to towns with two or more priority schools if they can provide additional spaces for children. The fifty poorest towns are also eligible to receive a competitive school readiness grant; however, they are currently ineligible to receive additional unallocated funds, even if they have the ability to serve more children. This change will allow more children to be served.

Sections 3 and 4 of this bill seeks to eliminate the Office of Early Childhood Planning, Outreach and Coordination, for which funds have not been appropriated, and redistribute responsibilities to the Early Childhood Education Cabinet and CSDE.

As such, the CSDE **strongly supports** Raised Bill #1103.

RAISED BILL 1105: AAC SPECIAL EDUCATION

The State Department of Education (CSDE) **supports** Raised Bill #1105, *AAC Special Education*, **with some concerns**.

Section 1 of this bill simply clarifies who is eligible to provide applied behavior analysis services and who is responsible for supervising such providers of applied behavior analysis services. **CSDE strongly supports this section**, but has some concern that the word “employed” may limit the meaning to employed by a board of education and not “externally contracted” under a personal services agreement. In addition, CSDE has one other suggested minor technical change that will be subsequently provided to the Chairs.

Section 2 of this bill eliminates the requirement that parental consent be secured when a planning and placement team recommends a private school placement for a child eligible for special education. This section aligns state statutes with the proposed revisions to the state special education regulations and IDEA, which only requires consent for initial evaluation, reevaluation and initial receipt of special education services. Parents retain the right to challenge the placement offered by the PPT by filing for due process. **CSDE strongly supports this section of the bill.**

Section 3 of this bill clarifies the requirements relating to the provision of special education services to children enrolled in a private school, to be consistent with IDEA. CSDE strongly supports this section of the bill. However, CSDE **recommends that additional language be added to this section** to clarify the intent of the state in allowing or disallowing the provision of IDEA service plan services to children being home schooled.

Section 4 of this bill clarifies the programmatic and financial responsibility of education for state agency-placed children. **CSDE supports this section with the recommended revision to change the date referenced in Section 4(b)(1) to June 30, 2011.** This correction will allow CSDE to pay out the state agency placement grant for this current fiscal year ending June 30, 2011.

Section 5 of this bill seeks to develop guidelines regarding the prevention of lead poisoning among students and the care of students with lead poisoning.

CSDE has concerns with this section of the bill because CSDE already has a working Lead Poisoning Prevention Committee with representation from Birth to Three, DPH, community organizations and special education; therefore a legislatively mandated task force is not necessary. The CSDE, in collaboration with this existing group, will develop guidelines that include the elements outlined in this section without legislation. Some elements, such as, professional development opportunities for educators and school personnel; lead prevention information and available services for families; and information for families concerning federal due process rights, already exist. The other elements of educational methods for children impacted by elevated lead levels; information related to appropriate developmental or neurological evaluations and assessments; and its interface with eligibility for special education, will be identified through

existing known information and networks within the educational community and then incorporated into one set of guidelines for lead poisoning prevention and intervention.

As such, the CSDE **supports** Raised Bill #1105, **with some concerns**.

RAISED BILL 6498: AAC SCHOOL DISTRICTS

The State Department of Education (CSDE) **supports** Raised Bill #6498, *AAC School Districts*, to delay the implementation of certain mandates in Public Act 10-111; and to create a task force to examine issues related to the changes in the high school graduation requirements, **with some concerns**.

Section 4 delays lifting the 85 per grade enrollment cap for high achieving charter schools adopted in the 2010 legislative session. Delaying this provision may have the unintended consequence of imposing further limitations on charter schools which want to significantly expand enrollments based on demand.

Section 6 delays bond authorizations for charter schools. In 2010, the Bond Commission provided \$2,529,154 in bond funds to charter schools. This total represents apportionment of the total \$5 million allocated. The Bond Commission has not acted to date on the remaining amount of \$2,470,846. Because more than half of the charter schools have historically submitted applications for this funding, and because requests for these grants have, to date, exceeded funds available by as much as 160 percent, we expect that there will be continued need for capital expense associated for the charters. Improving existing facilities and ensuring the health and safety for students is a priority and therefore CSDE does not support the delay in this provision.

CSDE supports the sections addressing the various aspects of Secondary School Reform by pushing out the date of implementation. CSDE believes it is crucial to move forward on Secondary School Reform in order for our students to be better equipped with the knowledge and skills necessary for success in further education and the workforce. However, CSDE also recognizes the fiscal burden this poses on the state and school districts and therefore supports the date changes.

For the sections pertaining to School Governance Council (SGC) reporting requirements, CSDE has additional suggestions to further streamline the SGC reporting requirements, while retaining the initial intent of the reporting requirements. CSDE will subsequently submit these suggested changes to the Chairs of the Education Committee.

RAISED BILL 6499: AAC MINOR REVISIONS TO THE EDUCATION STATUTES

The State Department of Education (CSDE) **is in agreement with the concepts in** Raised Bill #6499, *AAC Minor Revisions to the Education Statute*, **with some concerns**.

The CSDE **has concerns with Section 4** of this bill as written.

The purpose of this section is noted to require the State Board of Education to adopt regulations that create a certification endorsement area in computer and information technology that allows computer and information technology teachers to teach in grades kindergarten to twelve, inclusive. However, the bill language itself doesn't indicate anything about certification regulations and a certification endorsement to

teach computers and IT in grades K-12.

CSDE supports the purpose listed at the conclusion of the bill, however does not support the language as written.

Sections 6 through 14 seek to amend a number of CSDE reporting requirements required. These sections represent a number of the State Board of Education Legislative proposals for this Legislative session. **CSDE strongly supports these sections of the bill.**

Section 19 allows superintendents limited access to information in the state-wide public school information system. Every school district already has a designated person who has access to the Public School Information System (PSIS). In addition, each school district has a designated person for access to the secure student-level assessment data available through the www.ctreports.com website. With this level of access, a school district can retrieve all the information outlined in this section. With that said, since school districts already have access to this information, this section seems unnecessary.

Section 21 of this bill requires CSDE to define “excused” and “unexcused” absences for the purpose of determining whether a child is truant or not. Currently, there is no uniform definition of these terms and districts across the state have different policies as to what types of absences are excused and what are not. As such, when CSDE receives data as to the rate of truancy in a school district, such data is not comparable from district to district. **CSDE supports this section of the bill.**

RAISED BILL 6500: AAC EDUCATIONAL ACHIEVEMENT

The State Department of Education (CSDE) **supports in part and opposes in part** Raised Bill #6500, *AAC Educational Achievement*, to require local and regional boards of education to annually establish student goals and objectives for the school year; to require all applicants for certification in the endorsement area of elementary education to pass a mathematics examination approved by the State Board of Education; and to require the Department of Education to develop a uniform system of accounting for school expenditures that includes a chart of accounts for each individual school in a school district.

CSDE **supports Section 2** of this bill to require all applicants for certification in the endorsement area of elementary education to pass a mathematics examination approved by the State Board of Education, as CSDE is already in the process of considering one Educational Testing Services (ETS) exam that would provide candidates with a separate math score.

CSDE is **opposed to Section 3** of this bill. CSDE already has in place a uniform system that collects detailed expenditures at the school district level that complies with the Federal guidelines on financial accounting for local and state school systems.

CSDE has the following concerns about section 3 of this bill:

- CSDE believes that this would generate a **significant fiscal impact on every school district** in a time when budgets are declining or flat funded;
- This may require local boards of education that are under their municipal reporting systems to develop their own additional reporting system, which could be very costly; and,
- The implementation timeline outlined in this section of the bill is not feasible for the state or the school districts.

As such, CSDE **supports in part and opposes in part**, Raised Bill 6500.

RAISED BILL 6501: AAC DELAYS IN THE EVALUATION AND DETERMINATION PROCESS FOR STUDENTS SUSPECTED OF REQUIRING SPECIAL EDUCATION SERVICES

The State Department of Education (CSDE) **opposes** Raised Bill #6501, *AAC Delays in the Evaluation and Determination Process for Students Suspected of Requiring Special Education Services*, to prevent delays in the evaluation process of children suspected of requiring special education and related services.

This additional language does not align with the Federal requirements of the Individuals with Disabilities Education Act (IDEA), which describes procedural requirements, which must be met before (1) the PPT determines that an evaluation is warranted and (2) asks for parental consent to conduct the evaluation. These prior procedures include (a) convening a PPT meeting to discuss the referral, (b) reviewing of existing information to determine if an evaluation is warranted and if so, (3) whether or not there is sufficient information on the child to determine eligibility and write an IEP without doing additional evaluations. If additional evaluations are warranted, it is at this point in the process that parental consent is requested.

As such, CSDE **opposes** Raised Bill 6501.

RAISED BILL 6502: AAC THE OPEN CHOICE PROGRAM

The State Department of Education (CSDE) **strongly supports** Raised Bill #6502, *AAC the Open Choice Program*, as it represents a number of State Board of Education's Legislative proposals for this Legislative session.

Section 1 of the bill would allow CSDE, within existing resources, to fund the creation of Crandall school programs beginning in school year 2012. This program will allow CSDE to take advantage of existing classroom space made available in districts in the Hartford region that are experiencing declines in enrollment and thereby closing classrooms and school buildings. These facilities offer an unprecedented opportunity to expand the number of seats available to Hartford students for purpose of meeting the Sheff Phase II Stipulation and Order.

As conceived here, the 2011-12 fiscal year would be utilized to prepare and send out a Request for Proposal (RFP) for districts interested in opening a Crandall school program in 2012-13. The Crandall school programs would be developed to increase capacity for Hartford students in suburban communities and vice versa as a cost effective hybrid version of the Open Choice/Magnet programs. Programs can be developed by districts to offer a wide variety of new or expanded services locally while being considerate of overlap with existing choice programming in the region.

CSDE **recommends additional language** to this section of the bill to allow the Hartford public schools that develop Crandall school programs a three-year period to reach an enrollment in the program of at least 25% non-minority students. This recommended addition is similar to the provisions provided for Hartford magnet schools when opening.

In addition, CSDE **recommends** that under subsection (h) the Regional Education Service Centers (RESCs) be included as a transportation provider, as the Capitol Region Education Council (CREC) provides all Open Choice transportation in the Hartford region.

Section 2 of the bill would consolidate financing for the Sheff programs' regional transportation system into a single grant. In addition, the bill would establish a single per pupil grant amount to finance the regional transportation system as a whole. The Sheff Stipulated Agreement and Order require the state to develop a regional transportation system for all Sheff programming. A CSDE analysis of estimated expenditures for the current school year, including current bus contract rates, fuel costs, numbers of pupils transported, number of schools and districts transported to, and number of buses required, generated a recommended grant of \$3,250 per pupil, which is included in this bill. Currently transportation for all of the Sheff school choice programs is funded through the individual program at varying rates of reimbursement depending upon the program.

Section 3 of this bill would increase the per pupil grant for Open Choice students in the Sheff region. Currently, participating districts receive a base grant of \$2,500 for each OPEN Choice student they accept. In addition, \$500,000 is prorated to those districts where at least ten Choice students attend the same school. For the last several years, the number of Hartford area OPEN Choice students has remained significantly below the number necessary to meet our goals. Last year enrollment was over 1,300 students but significantly below the 1,800 we needed. Under the terms of the current Stipulated Agreement, it is imperative to begin to increase Hartford area Choice participation, eventually to as many as 3,000 students. In order to achieve this, increased funding will be necessary.

For FY 2011-12 and FY 2012-13, the grant per pupil would increase from the current \$2,500 level. The proposed per pupil grant rate would be a function of participation level in terms of the percent of Open Choice students relative to total district enrollment:

Participation Level	Per Pupil Grant Amount (FY 2012 & 2013)
Less than 2%	\$3,000
Between 2% and 3%	\$4,000
3% or greater	\$6,000

In addition, to encourage districts to declare their available seats earlier in the process, an incentive pool of \$500,000 has been built into the current services budget to provide them with additional funds for every new seat they declare prior to March 1st so the seat numbers are available when the RSCO lottery is run.

However, please note that the Governor's budget does include language for flexible funding for Open Choice for districts that increase participation. This bill provides additional funding for Crandall Schools that are not in the Governor's budget and outlines a three-tiered funding level based on participation that may not be achievable within the Governor's budgeted appropriation.

With that said, the CSDE **strongly supports** Raised Bill #6502.