



Senate

General Assembly

File No. 796

January Session, 2011

Substitute Senate Bill No. 929

Senate, May 11, 2011

The Committee on Appropriations reported through SEN. HARP of the 10th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING CLOSING THE ACADEMIC ACHIEVEMENT GAP.

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

- 1 Section 1. (*Effective from passage*) (a) There is established a task force
2 to address the academic achievement gaps in Connecticut by
3 considering effective approaches to closing the achievement gaps in
4 elementary, middle and high schools. The task force shall develop, in
5 consultation with the Department of Education, the Connecticut State
6 University System, the Interagency Council for Ending the
7 Achievement Gap established pursuant to section 2 of this act, and the
8 joint standing committee of the General Assembly having cognizance
9 of matters relating to education, a master plan to eliminate the
10 academic achievement gaps by January 1, 2020. Such master plan shall:
11 (1) Identify the achievement gaps that exist among and between (A)
12 racial groups, (B) ethnic groups, (C) socioeconomic groups, (D)
13 genders, and (E) English language learners and students whose
14 primary language is English; (2) focus efforts on closing the

15 achievement gaps identified in subdivision (1) of this subsection; (3)
16 establish annual benchmarks for implementation of the master plan
17 and closing the achievement gaps; (4) make recommendations
18 regarding the creation of a Secretary of Education; and (5) develop a
19 plan for (A) implementing the changes to the requirement of when a
20 child five years of age may enroll in kindergarten pursuant to section
21 10-15c of the general statutes, as amended by this act, and (B)
22 providing spaces in school readiness programs to those children who
23 reach the age of five after October first of any school year and are no
24 longer eligible to enroll in kindergarten for such school year. The task
25 force may amend such master plan at any time.

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

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

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

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

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

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

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

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

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

39 (9) One appointed by the Governor.

40 (c) Any member of the task force appointed under subdivision (1),
41 (2), (3), (4), (5), (6) or (7) of subsection (b) of this section may be a
42 member of the General Assembly.

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

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

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

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

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

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

68 Sec. 2. (NEW) (*Effective July 1, 2011*) (a) There is established an
69 Interagency Council for Ending the Achievement Gap. The council
70 shall consist of: (1) The Lieutenant Governor, or the Lieutenant
71 Governor's designee, (2) the Commissioner of Education, or the
72 commissioner's designee, (3) the Commissioner of Children and
73 Families, or the commissioner's designee, (4) the Commissioner of

74 Social Services, or the commissioner's designee, (5) the Commissioner
75 of Public Health, or the commissioner's designee, (6) the Commissioner
76 of Higher Education, or the commissioner's designee, (7) the
77 Commissioner of Economic and Community Development, or the
78 commissioner's designee, (8) the Commissioner of Administrative
79 Services, or the commissioner's designee, and (9) the Secretary of the
80 Office of Policy and Management, or the secretary's designee. The
81 chairperson of the council shall be the Lieutenant Governor, or the
82 Lieutenant Governor's designee. The council shall meet at least
83 quarterly.

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

97 (c) The Interagency Council for Ending the Achievement Gap shall
98 be within the Department of Education for administrative purposes
99 only.

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

102 Public schools including kindergartens shall be maintained in each
103 town for at least one hundred eighty days of actual school sessions
104 during each year. When public school sessions are cancelled for
105 reasons of inclement weather or otherwise, the rescheduled sessions
106 shall not be held on Saturday or Sunday. Public schools may conduct

107 weekend education programs to provide supplemental and remedial
108 services to students. A local or regional board of education for a school
109 that has been designated as a low achieving school pursuant to
110 subdivision (1) of subsection (c) of section 10-223e may increase the
111 number of actual school sessions during each year, and may increase
112 the number of hours of actual school work per school session in order
113 to improve student performance and remove the school from the list of
114 schools designated as a low achieving school maintained by the State
115 Board of Education. The State Board of Education (1) may authorize
116 the shortening of any school year for a school district, a school or a
117 portion of a school on account of an unavoidable emergency, and (2)
118 may authorize implementation of scheduling of school sessions to
119 permit full year use of facilities which may not offer each child one
120 hundred eighty days of school sessions within a given school year, but
121 which assures an opportunity for each child to average a minimum of
122 one hundred eighty days of school sessions per year during thirteen
123 years of educational opportunity in the elementary and secondary
124 schools. Notwithstanding the provisions of this section and section 10-
125 16, the State Board of Education may, upon application by a local or
126 regional board of education, approve for any single school year, in
127 whole or in part, a plan to implement alternative scheduling of school
128 sessions which assures at least four hundred fifty hours of actual
129 school work for nursery schools and half-day kindergartens and at
130 least nine hundred hours of actual school work for full-day
131 kindergartens and grades one to twelve, inclusive.

132 Sec. 4. Subsection (a) of section 10-15c of the general statutes is
133 repealed and the following is substituted in lieu thereof (*Effective July*
134 *1, 2011*):

135 (a) The public schools shall be open to all children five years of age
136 and over who (1) for the school years commencing July 1, 2011, to July
137 1, 2014, inclusive, reach age five on or before the first day of January of
138 any school year, and [each] (2) for the school year commencing July 1,
139 2015, and each school year thereafter, reach age five on or before the
140 first day of October of any school year. Each such child shall have, and

141 shall be so advised by the appropriate school authorities, an equal
142 opportunity to participate in the activities, programs and courses of
143 study offered in such public schools, at such time as the child becomes
144 eligible to participate in such activities, programs and courses of study,
145 without discrimination on account of race, color, sex, religion, national
146 origin or sexual orientation; provided boards of education may, by
147 vote at a meeting duly called, admit to any school children under five
148 years of age.

149 Sec. 5. Section 10-265g of the general statutes is repealed and the
150 following is substituted in lieu thereof (*Effective July 1, 2011*):

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

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

174 school district reading plan for such student.

175 (c) The [personal] individual priority school district reading plan
176 shall include assessment results, applicable federal requirements and
177 additional instruction, within available appropriations, such as
178 tutoring, an after school, school vacation, or weekend program or a
179 summer reading program as described in subsection (d) of section 10-
180 265f. [Personal] Individual priority school district reading plans
181 pursuant to this section shall be (1) reviewed and revised as
182 appropriate after each [evaluation] assessment or state-wide
183 examination, as appropriate, (2) [discussed with] monitored by school
184 literacy teams that shall consist of, but not be limited to, teachers,
185 school reading specialists, internal or external reading consultants, the
186 school principal and the provider of the additional instruction, and (3)
187 given to the parent or guardian of the student, in accordance with the
188 provisions concerning notice to parents or legal guardians pursuant to
189 section 10-15b, and include specific recommendations for reading
190 strategies that the parent or guardian can use at home. For purposes of
191 providing additional instruction, boards of education for priority
192 school districts shall give preference first to elementary schools and
193 then to middle schools, with the highest number of students who are
194 substantially deficient in reading.

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

204 (e) [A personal] An individual priority school district reading plan
205 that incorporates the competencies required for early reading success
206 and [effective] explicit reading instruction as delineated in section 10-

207 221l shall be maintained for a student who is substantially deficient in
208 reading until the student achieves [a satisfactory] grade level
209 proficiency, as determined by a reading [evaluation] assessment
210 pursuant to [this] subsection (b) of this section or a state-wide
211 examination pursuant to section 10-14n.

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

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

235 Sec. 6. (*Effective July 1, 2011*) The Commissioner of Education may
236 identify schools to participate in a pilot study for the purposes of
237 promoting best practices in early literacy and closing the academic
238 achievement gaps. The pilot study may utilize various assessment
239 tools, including, but not limited to, assessments conducted pursuant to

240 section 10-265g of the general statutes, as amended by this act. The
241 Commissioner of Education may waive the assessments, described in
242 said section 10-265g, for certain grade levels in participating schools.
243 The Department of Education may research and evaluate participating
244 schools and such research and evaluation may be conducted in
245 conjunction with external groups or organizations. Not later than
246 October 1, 2013, the department shall report to the joint standing
247 committee of the General Assembly having cognizance of matters
248 relating to education, in accordance with the provisions of section 11-
249 4a of the general statutes, on the findings of the pilot study. For
250 purposes of this section, "achievement gaps" means the existence of a
251 significant disparity in the academic performance of students among
252 and between (1) racial groups, (2) ethnic groups, (3) socioeconomic
253 groups, (4) genders, and (5) English language learners and students
254 whose primary language is English.

255 Sec. 7. Subsection (b) of section 10-220 of the general statutes is
256 repealed and the following is substituted in lieu thereof (*Effective July*
257 *1, 2011*):

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

269 Sec. 8. Subsection (b) of section 10-145f of the general statutes is
270 repealed and the following is substituted in lieu thereof (*Effective July*
271 *1, 2011*):

272 (b) (1) Any person who does not hold a valid certificate pursuant to

273 section 10-145b shall (A) achieve satisfactory scores on the state
274 reading, writing and mathematics competency examination prescribed
275 by and administered under the direction of the State Board of
276 Education, or qualify for a waiver of such test based on criteria
277 approved by the State Board of Education, and (B) achieve a
278 satisfactory evaluation on the appropriate State Board of Education
279 approved subject area assessment in order to be eligible for a certificate
280 pursuant to said section unless such assessment has not been approved
281 by the State Board of Education at the time of application, in which
282 case the applicant shall not be denied a certificate solely because of the
283 lack of an evaluation on such assessment. A person who holds a valid
284 school administrator certificate in another state that is at least
285 equivalent to an initial educator certificate, pursuant to section 10-
286 145b, as determined by the State Board of Education, and has
287 successfully completed three years of experience as a school
288 administrator in a public school in another state or in a nonpublic
289 school approved by the appropriate state board of education during
290 the ten-year period prior to the date of application for a certificate in a
291 school administration endorsement area shall not be required to meet
292 the state reading, writing and mathematics competency examination.

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

301 (3) On and after July 1, 1992, any teacher who held a valid teaching
302 certificate but whose certificate lapsed and who had completed all
303 requirements for the issuance of a new certificate pursuant to section
304 10-145b, except for filing an application for such certificate, prior to the
305 date on which the lapse occurred, may file, within one year of the date
306 on which the lapse occurred, an application with the Commissioner of

307 Education for the issuance of such certificate. Upon the filing of such
308 an application, the commissioner may grant such certificate and such
309 certificate shall be retroactive to the date on which the lapse occurred,
310 provided the commissioner finds that the lapse of the certificate
311 occurred as a result of a hardship or extenuating circumstances beyond
312 the control of the applicant. If such teacher has attained tenure and is
313 reemployed by the same board of education in any equivalent unfilled
314 position for which the person is qualified as a result of the issuance of
315 a certificate pursuant to this subdivision, the lapse period shall not
316 constitute a break in employment for such person reemployed and
317 shall be used for the purpose of calculating continuous employment
318 pursuant to section 10-151. If such teacher has not attained tenure, the
319 time unemployed due to the lapse of a certificate shall not be counted
320 toward tenure, except that if such teacher is reemployed by the same
321 board of education as a result of the issuance of a certificate pursuant
322 to this subdivision, such teacher may count the previous continuous
323 employment immediately prior to the lapse towards tenure. Using
324 information provided by the Teachers' Retirement Board, the
325 Department of Education shall annually notify each local or regional
326 board of education of the name of each teacher employed by such
327 board of education whose provisional certificate will expire during the
328 period of twelve months following such notice. Upon receipt of such
329 notice the superintendent of each local and regional board of education
330 shall notify each such teacher in writing, at such teacher's last known
331 address, that the teacher's provisional certificate will expire.

332 (4) Notwithstanding the provisions of this subsection to the
333 contrary, to be eligible for a certificate to teach subjects for which a
334 bachelor's degree is not required, any applicant who is otherwise
335 eligible for certification in such endorsement areas shall be entitled to a
336 certificate without having met the requirements of the competency
337 examination and subject area assessment pursuant to this subsection
338 for a period not to exceed two years, except that for a certificate to
339 teach skilled trades or trade-related or occupational subjects, the
340 commissioner may waive the requirement that the applicant take the
341 competency examination. The commissioner may, upon the showing

342 of good cause, extend the certificate.

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

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>July 1, 2011</i>	New section
Sec. 3	<i>July 1, 2011</i>	10-15
Sec. 4	<i>July 1, 2011</i>	10-15c(a)
Sec. 5	<i>July 1, 2011</i>	10-265g
Sec. 6	<i>July 1, 2011</i>	New section
Sec. 7	<i>July 1, 2011</i>	10-220(b)
Sec. 8	<i>July 1, 2011</i>	10-145f(b)

Statement of Legislative Commissioners:

Struck the word "annual" in section 1(g)(2) to reduce redundancy; added provision regarding section 11-4(a) in section 2(b) for accuracy; added the word "kindergarten" in section 5(d) for consistency; bracketed the word "this" and added "(b) of this section" in section 5(e) for accuracy; replaced "the assessment" with "assessments", struck the word "state-wide" and revised provision regarding research and evaluation in section 6 for consistency and clarity.

ED *Joint Favorable Subst. C/R*

APP

APP *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:

Agency Affected	Fund-Effect	FY 12 \$	FY 13 \$
Education, Dept.	GF - Cost	less than 60,000	less than 60,000

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill makes various changes to local and regional school districts as well as the State Department of Education (SDE) that may result in a cost of less than \$60,000 in FY 12 and FY 13 with a significant impact in the out years. No funding is provided in the budget for the provisions contained in the bill. A section by section analysis appears below:

Section 1 of the bill establishes a task force to study the academic achievement gap in Connecticut. Agencies would incur minimal costs, in both FY 12 and FY 13, estimated to be less than \$5,000, associated with mileage reimbursement of 51 cents per mile for legislators and agency staff (who seek such reimbursement) participating on the task force.

Section 2 of the bill establishes an Interagency Council for Ending the Achievement Gap. Agencies would incur minimal costs, in both FY 12 and FY 13, estimated to be less than \$5,000, associated with mileage reimbursement of 51 cents per mile for legislators and agency staff (who seek such reimbursement) participating on the task force. Additionally, the newly created Interagency Council may require additional resources of up to \$50,000 to assist them with implementing the provisions contained within the master plan, established by the task force.

Section 3 of the bill allows a local or regional school district that has been designated as a low achieving school to increase the number of school sessions during the school year. This change is permissive and does not require any district to include additional school sessions or school hours. If a school district opted to increase the number of school sessions or school hours, it would face additional costs, which would be relative to the number of additional sessions or hours. It is assumed that a local or regional district would not opt to extend the school year if they did not have the resources to do so.

Section 4 maintains the kindergarten entrance age through FY 14, which does not result in a fiscal impact. Additionally, Section 4 changes the kindergarten entrance age from five years old, by January 1, to five years old by October 1, for FY 15, and each FY thereafter. It is anticipated that this change would impact approximately 1,600 children. This change could result in a savings to various districts and an increased cost to SDE, starting in FY 15. Depending on the number of kindergarteners at each school, the potential savings to each local and regional school district will vary. It is anticipated that districts could accrue marginal savings of approximately \$3,000 to \$4,000 per child. Of the kindergarteners that would be delayed, approximately 600 are from districts where SDE pays for school readiness slots. The state would be responsible for continuing these students in school readiness slots, at a rate of \$8,346 (full day, full year rate), or approximately \$5 million in additional costs.

Section 5 makes various definitional changes that are not anticipated to result in a fiscal impact.

Section 6 establishes a pilot program to study the promotion of best practices in early literacy and closing the achievement gap. The creation of this pilot program is permissive, as the Commissioner of Education is not required to do it. It is assumed that SDE would not create the pilot if they did not have the staff or the resources to do so.

Sections 7 and 8 make various changes that are not anticipated to result in a fiscal impact.

The Out Years

Beginning in FY 15, it is anticipated that districts could accrue marginal savings of approximately \$3,000 to \$4,000 per child. Of the kindergarteners that would be delayed, approximately 600 are from districts where SDE pays for school readiness slots. The state would be responsible for continuing these students in school readiness slots, at a rate of \$8,346 (full day, full year rate), or approximately \$5 million in additional costs.

OLR Bill Analysis**sSB 929****AN ACT CONCERNING CLOSING THE ACADEMIC ACHIEVEMENT GAP.****SUMMARY:**

This bill:

1. requires children, starting with the 2015-16 school year, to reach age five by October 1, rather than January 1, to enroll in kindergarten;
2. creates an achievement gap task force and specifies its membership, duties (including creation of a master plan to close the achievement gap), and reporting requirements;
3. creates an interagency council for ending the achievement gap and states its membership and responsibilities;
4. permits school boards with low-achieving schools to increase the number of school sessions each year and the number of school hours each day;
5. authorizes the education commissioner to conduct a best practices literacy pilot study; and
6. changes laws regarding kindergarten reading assessments, school district student objectives, and elementary teacher certification.

EFFECTIVE DATE: July 1, 2011, except the provision creating the achievement gap task force is effective upon passage.

§ 1 — ACHIEVEMENT GAP TASK FORCE

The bill establishes an 11-member task force to address academic achievement gaps between Connecticut students and consider effective approaches to closing the achievement gaps in elementary, middle, and high schools.

By January 1, 2020, the task force must develop a master plan to eliminate the academic achievement gaps in consultation with the State Department of Education (SDE), the Connecticut State University System, the Interagency Council for Ending the Achievement Gap that the bill establishes, and the Education Committee. The task force terminates on January 1, 2020.

In addition to the education commissioner, or the commissioner's designee, the task force consists of members appointed by the following:

1. the House speaker and the Senate president pro tempore, two each;
2. the House and Senate majority leaders, one each;
3. the House and Senate minority leaders, one each;
4. the General Assembly Black and Puerto Rican Caucus chairperson, one; and
5. the governor, one.

Any member of the task force, except the education commissioner and the member the governor appoints, may be a state legislator.

All task force appointments must be made no later than 30 days after the bill is enacted. Vacancies must be filled by the appointing authority.

The House speaker and the Senate president pro tempore must select the chairpersons from among the 11 task force members. The chairpersons must schedule the first meeting of the task force, which must be held within 60 days after bill is enacted. The Education

Committee's administrative staff must serve as the task force's administrative staff.

§1 — MASTER PLAN

The bill requires the master plan to:

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 identified achievement gaps;
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) implementing the bill's new kindergarten entrance age requirement and (b) providing spaces in school readiness programs to those children who reach the age five after October 1 and are not eligible to enroll in kindergarten for that year.

The task force may amend the master plan at any time.

Deadline and Progress Reports

The task force must submit the master plan to the Education Committee, the Interagency Council for Ending the Achievement Gap, and the House and Senate clerks by January 1, 2012.

Beginning no later than January 1, 2013 and annually until January 1, 2020, the task force must submit progress reports on the master plan's implementation and related recommendations to the Education Committee and the House and Senate clerks.

§ 2 — INTERAGENCY COUNCIL FOR ENDING THE ACHIEVEMENT GAP

The bill establishes a nine-member Interagency Council for Ending the Achievement Gap that must:

1. assist the bill's achievement gap task force in the development of the achievement gap master plan described above;
2. implement the provisions of the plan and, if necessary, make recommendations to the Education Committee for legislation related to the plan; and
3. submit annual progress reports to the Education Committee and the achievement gap task force on the implementation of the plan.

The council consists of the following officials or their designees: (1) lieutenant governor, (2) education commissioner, (3) children and families commissioner, (4) social services commissioner, (5) the public health commissioner, (6) higher education commissioner, (7) economic and community development commissioner, (8) administrative services commissioner, and (9) Office of Policy and Management secretary. The lieutenant governor, or her designee, must serve as the council chairperson.

The council is within the SDE for administrative purposes only and must meet at least quarterly.

§ 3 — EXTENDED SCHOOL DAYS AND INCREASED SCHOOL SESSIONS

Current law requires school districts to provide at least 180 days of sessions in a school year. The bill specifically permits local or regional boards of education for schools designated as low-achieving under state law to increase the number of school sessions each year and the number of school hours each day in order to improve student performance and remove the school from the list of low-achieving schools.

§ 4 — KINDERGARTEN ENROLLMENT AGE

Starting with the 2015-16 school year, the bill requires children to

reach age five by October 1, rather than January 1, of the school year to be eligible for kindergarten.

§ 5 — KINDERGARTEN STUDENTS AND THE SUMMER READING PROGRAM

The bill makes several changes to the law requiring all priority school districts to provide a summer reading program for kindergarten students, reading assessments of young students, and individual reading plans to improve literacy.

Current law requires priority school districts to evaluate the reading level of students in grades one through three in the middle and at the end of the school year. Starting with the 2011-12 school year, the bill requires the reading level of all kindergarten students to be assessed at the end of the year. It changes the criterion for kindergarten students to go into the summer reading program from the teacher's determination that they need additional help, to the school's determination that they are substantially deficient in reading based on measures established by the State Board of Education.

It also allows a priority school district to require kindergarten students who are substantially deficient in reading to attend summer school. Under current law, a district may require students in grades one to three who are reading deficient to go to summer school.

When a student is determined to be reading deficient, the school must develop a personal reading plan for that student. The bill changes this to an individual priority school district reading plan and requires the plan to include assessment results and applicable federal requirements. Under current law, the plan must include additional instruction, within available funds, such as tutoring or an after-school, school vacation, weekend, or summer school intensive intervention reading program as described in law.

The bill adds the requirement that school literacy teams monitor each student's individual reading plan. It requires the literacy team to include, at a minimum, teachers, school reading specialists, internal or

external reading consultants, the school principal, and the provider of the additional instruction. Under current law, the school must discuss the plan with the provider of the additional instruction.

By law, decisions to promote students to the next grade who have individual reading plans because they were found to be deficient in reading must be based on documented progress. The current law applies this standard to students in grades one through three. The bill extends it to kindergarten and expands the applicability to all educational and instructional decisions, not just the decision to promote to the next grade. It makes the conforming change that the school principal must justify in writing to the superintendent any decision to promote a kindergarten student who is deficient in reading.

By law, each superintendent must report to the education commissioner on the number of students who are reading deficient and are promoted to the next grade for grades one through three. The bill requires the superintendent to also report on kindergarten students in this group.

It also makes conforming and technical changes.

§ 6 — LITERACY BEST PRACTICES PILOT STUDY

The bill authorizes the education commissioner to (1) conduct a pilot study to promote best practices in early literacy and closing academic achievement gaps and (2) identify schools to participate in the study.

The pilot study may use various assessment tools, including those used in the summer reading program. The bill also permits the education commissioner to waive the summer reading program assessments for certain grade levels in participating schools. SDE can research and evaluate participating schools and this may be done with the help of external groups or organizations.

For purposes of this pilot study, “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.

SDE must report the pilot study’s findings to the Education Committee by October 1, 2013.

§ 7 — SCHOOL DISTRICT STUDENT OBJECTIVES

By law, all school districts must craft educational goals that are consistent with the state’s educational goals and student objectives that relate to the goals. The bill requires local and regional boards of education to annually establish the student objectives.

§ 8 — MATH ASSESSMENT FOR ELEMENTARY EDUCATION CERTIFICATION

The bill requires that, effective July 1, 2011, anyone seeking a teacher certification in elementary education must achieve a satisfactory evaluation on the appropriate SDE-approved math assessment.

COMMITTEE ACTION

Education Committee

Joint Favorable Substitute
Yea 30 Nay 0 (03/23/2011)

Appropriations Committee

Joint Favorable Substitute
Yea 42 Nay 3 (04/25/2011)