



General Assembly

January Session, 2011

Raised Bill No. 6499

LCO No. 4020

04020_____ED_

Referred to Committee on Education

Introduced by:
(ED)

AN ACT CONCERNING MINOR REVISIONS TO THE EDUCATION STATUTES.

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

1 Section 1. Section 10-16b of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2011*):

3 (a) In the public schools the program of instruction offered shall
4 include at least the following subject matter, as taught by legally
5 qualified teachers, the arts; career education; consumer education;
6 health and safety, including, but not limited to, human growth and
7 development, nutrition, first aid, disease prevention, community and
8 consumer health, physical, mental and emotional health, including
9 youth suicide prevention, substance abuse prevention, safety, which
10 may include the dangers of gang membership, and accident
11 prevention; language arts, including reading, writing, grammar,
12 speaking and spelling; mathematics; physical education; science; social
13 studies, including, but not limited to, citizenship, economics,
14 geography, government and history; and in addition, on at least the
15 secondary level, one or more [foreign] world languages and vocational
16 education. For purposes of this subsection, [language arts may] world

17 languages shall include American sign language or signed English,
18 provided such subject matter is taught by a qualified instructor under
19 the supervision of a teacher who holds a certificate issued by the State
20 Board of Education. For purposes of this subsection, the "arts" means
21 any form of visual or performing arts, which may include, but not be
22 limited to, dance, music, art and theatre.

23 (b) If a local or regional board of education requires its pupils to
24 take a course in a foreign language, the parent or guardian of a pupil
25 identified as deaf or hearing impaired may request in writing that such
26 pupil be exempted from such requirement and, if such a request is
27 made, such pupil shall be exempt from such requirement.

28 (c) Each local and regional board of education shall on September 1,
29 1982, and annually thereafter at such time and in such manner as the
30 Commissioner of Education shall request, attest to the State Board of
31 Education that such local or regional board of education offers at least
32 the program of instruction required pursuant to this section, and that
33 such program of instruction is planned, ongoing and systematic.

34 (d) The State Board of Education shall make available curriculum
35 materials and such other materials as may assist local and regional
36 boards of education in developing instructional programs pursuant to
37 this section. The State Board of Education, within available
38 appropriations and utilizing available resource materials, shall assist
39 and encourage local and regional boards of education to include: (1)
40 Holocaust and genocide education and awareness; (2) the historical
41 events surrounding the Great Famine in Ireland; (3) African-American
42 history; (4) Puerto Rican history; (5) Native American history; (6)
43 personal financial management; and (7) topics approved by the state
44 board upon the request of local or regional boards of education as part
45 of the program of instruction offered pursuant to subsection (a) of this
46 section.

47 Sec. 2. Subsection (a) of section 10-220a of the general statutes is
48 repealed and the following is substituted in lieu thereof (*Effective July*

49 1, 2011):

50 (a) Each local or regional board of education shall provide an in-
51 service training program for its teachers, administrators and pupil
52 personnel who hold the initial educator, provisional educator or
53 professional educator certificate. Such program shall provide such
54 teachers, administrators and pupil personnel with information on (1)
55 the nature and the relationship of drugs, as defined in subdivision (17)
56 of section 21a-240, and alcohol to health and personality development,
57 and procedures for discouraging their abuse, (2) health and mental
58 health risk reduction education which includes, but need not be
59 limited to, the prevention of risk-taking behavior by children and the
60 relationship of such behavior to substance abuse, pregnancy, sexually
61 transmitted diseases, including HIV-infection and AIDS, as defined in
62 section 19a-581, violence, teen dating violence, domestic violence, child
63 abuse and youth suicide, (3) the growth and development of
64 exceptional children, including handicapped and gifted and talented
65 children and children who may require special education, including,
66 but not limited to, children with attention-deficit hyperactivity
67 disorder or learning disabilities, and methods for identifying, planning
68 for and working effectively with special needs children in a regular
69 classroom, (4) school violence prevention, conflict resolution and
70 prevention of bullying, as defined in subsection (a) of section 10-222d,
71 except that those boards of education that implement an evidence-
72 based model approach, consistent with subsection (d) of section 10-
73 145a, subsection (a) of section 10-220a, as amended by this act, sections
74 10-222d, 10-222g and 10-222h, subsection (g) of section 10-233c and
75 sections 1 and 3 of public act 08-160, shall not be required to provide
76 in-service training on prevention of bullying, (5) cardiopulmonary
77 resuscitation and other emergency life saving procedures, (6) computer
78 and other information technology as applied to student learning and
79 classroom instruction, communications and data management, (7) the
80 teaching of the language arts, reading and reading readiness for
81 teachers in grades kindergarten to three, inclusive, and (8) second
82 language acquisition in districts required to provide a program of

83 bilingual education pursuant to section 10-17f. Each local and regional
84 board of education may allow any paraprofessional or noncertified
85 employee to participate, on a voluntary basis, in any in-service training
86 program provided pursuant to this section. The State Board of
87 Education, within available appropriations and utilizing available
88 materials, shall assist and encourage local and regional boards of
89 education to include: (A) Holocaust and genocide education and
90 awareness; (B) the historical events surrounding the Great Famine in
91 Ireland; (C) African-American history; (D) Puerto Rican history; (E)
92 Native American history; (F) personal financial management; (G)
93 domestic violence and teen dating violence; and (H) topics approved
94 by the state board upon the request of local or regional boards of
95 education as part of in-service training programs pursuant to this
96 subsection.

97 Sec. 3. Section 10-221r of the general statutes is repealed and the
98 following is substituted in lieu thereof (*Effective July 1, 2011*):

99 (a) For the school year commencing July 1, 2011, and each school
100 year thereafter, each local and regional board of education shall
101 provide an advanced placement course program. For purposes of this
102 section, "advanced placement course program" means a program that
103 provides [courses] college or university-level instruction as part of a
104 course at the high school level, including courses for which an
105 advanced placement examination is available through the College
106 Board or a diploma program offered by the International
107 Baccalaureate.

108 (b) The State Board of Education shall develop guidelines to aid
109 local and regional boards of education in training teachers for teaching
110 advanced placement courses to a diverse student body.

111 Sec. 4. (NEW) (*Effective July 1, 2011*) The Commissioner of
112 Education, upon request from a local or regional board of education
113 for a district that has a school with grades kindergarten to eight,
114 inclusive, in the district, may permit a certified teacher employed by

115 such board in such school who holds an endorsement in elementary
116 education and who is otherwise qualified to teach a specialized course
117 to teach such specialized course in grades kindergarten to eight,
118 inclusive. For purposes of this section, "specialized course" means a
119 course in a subject area that requires specialized knowledge and skills,
120 such as computer and information technology.

121 Sec. 5. Subdivision (4) of subsection (c) of section 10-153f of the
122 general statutes is repealed and the following is substituted in lieu
123 thereof (*Effective July 1, 2011*):

124 (4) After hearing all the issues, the arbitrators or the single arbitrator
125 shall, within twenty days, render a decision in writing, signed by a
126 majority of the arbitrators or the single arbitrator, which states in detail
127 the nature of the decision and the disposition of the issues by the
128 arbitrators or the single arbitrator. The written decision shall include a
129 narrative explaining the evaluation by the arbitrators or the single
130 arbitrator of the evidence presented for each item upon which a
131 decision was rendered by the arbitrators or the single arbitrator and
132 shall state with particularity the basis for the decision as to each
133 disputed issue and the manner in which the factors enumerated in this
134 subdivision were considered in arriving at such decision, including,
135 where applicable, the specific similar groups and conditions of
136 employment presented for comparison and accepted by the arbitrators
137 or the single arbitrator and the reason for such acceptance. The
138 arbitrators or the single arbitrator shall file one copy of the decision
139 with the commissioner, each town clerk in the school district involved,
140 [and] the legislative body or bodies of the school district involved and
141 the board of education and organization which are parties to the
142 dispute. The decision of the arbitrators or the single arbitrator shall be
143 final and binding upon the parties to the dispute unless a rejection is
144 filed in accordance with subdivision (7) of this subsection. The decision
145 of the arbitrators or the single arbitrator shall incorporate those items
146 of agreement the parties have reached prior to its issuance. At any time
147 prior to the issuance of a decision by the arbitrators or the single

148 arbitrator, the parties may jointly file with the arbitrators or the single
149 arbitrator, any stipulations setting forth contract provisions which both
150 parties agree to accept. In arriving at a decision, the arbitrators or the
151 single arbitrator shall give priority to the public interest and the
152 financial capability of the town or towns in the school district,
153 including consideration of other demands on the financial capability of
154 the town or towns in the school district. In assessing the financial
155 capability of the town or towns, there shall be an irrebuttable
156 presumption that a budget reserve of five per cent or less is not
157 available for payment of the cost of any item subject to arbitration
158 under this chapter. The arbitrators or the single arbitrator shall further
159 consider, in light of such financial capability, the following factors: (A)
160 The negotiations between the parties prior to arbitration, including the
161 offers and the range of discussion of the issues; (B) the interests and
162 welfare of the employee group; (C) changes in the cost of living
163 averaged over the preceding three years; (D) the existing conditions of
164 employment of the employee group and those of similar groups; and
165 (E) the salaries, fringe benefits, and other conditions of employment
166 prevailing in the state labor market, including the terms of recent
167 contract settlements or awards in collective bargaining for other
168 municipal employee organizations and developments in private sector
169 wages and benefits. The parties shall submit to the arbitrators or the
170 single arbitrator their respective positions on each individual issue in
171 dispute between them in the form of a last best offer. The arbitrators or
172 the single arbitrator shall resolve separately each individual disputed
173 issue by accepting the last best offer thereon of either of the parties,
174 and shall incorporate in a decision each such accepted individual last
175 best offer and an explanation of how the total cost of all offers accepted
176 was considered. The award of the arbitrators or the single arbitrator
177 shall not be subject to rejection by referendum. The parties shall each
178 pay the fee of the arbitrator selected by or for them and share equally
179 the fee of the third arbitrator or the single arbitrator and all other costs
180 incidental to the arbitration.

181 Sec. 6. Subsection (g) of section 10-16x of the general statutes is

182 repealed and the following is substituted in lieu thereof (*Effective July*
183 *1, 2011*):

184 (g) Not later than [October 1, 2008] December 1, 2011, and biennially
185 thereafter, the Department of Education shall report, in accordance
186 with the provisions of section 11-4a, to the joint standing committee of
187 the General Assembly having cognizance of matters relating to
188 education on performance outcomes of recipients of grants under this
189 section. The report shall include, but not be limited to, measurements
190 of the impact on student achievement, school attendance and the in-
191 school behavior of student participants.

192 Sec. 7. Section 10-19m of the general statutes is repealed and the
193 following is substituted in lieu thereof (*Effective July 1, 2011*):

194 (a) For the purposes of this section, "youth" means a person from
195 birth to eighteen years of age. Any one or more municipalities or any
196 one or more private youth-serving organizations, designated to act as
197 agents of one or more municipalities, may establish a multipurpose
198 youth service bureau for the purposes of evaluation, planning,
199 coordination and implementation of services, including prevention
200 and intervention programs for delinquent, predelinquent, pregnant,
201 parenting and troubled youths referred to such bureau by schools,
202 police, juvenile courts, adult courts, local youth-serving agencies,
203 parents and self-referrals. A youth service bureau shall be the
204 coordinating unit of community-based services to provide
205 comprehensive delivery of prevention, intervention, treatment and
206 follow-up services.

207 (b) A youth service bureau established pursuant to subsection (a) of
208 this section may provide, but shall not be limited to the delivery of, the
209 following services: (1) Individual and group counseling; (2) parent
210 training and family therapy; (3) work placement and employment
211 counseling; (4) alternative and special educational opportunities; (5)
212 recreational and youth enrichment programs; (6) outreach programs to
213 insure participation and planning by the entire community for the

214 development of regional and community-based youth services; (7)
215 preventive programs, including youth pregnancy, youth suicide,
216 violence, alcohol and drug prevention; and (8) programs that develop
217 positive youth involvement. Such services shall be designed to meet
218 the needs of youths by the diversion of troubled youths from the
219 justice system as well as by the provision of opportunities for all
220 youths to function as responsible members of their communities.

221 (c) The Commissioner of Education shall adopt regulations, in
222 accordance with the provisions of chapter 54, establishing minimum
223 standards for such youth service bureaus and the criteria for qualifying
224 for state cost-sharing grants, including, but not limited to, allowable
225 sources of funds covering the local share of the costs of operating such
226 bureaus, acceptable in-kind contributions and application procedures.
227 Said commissioner shall, on December 1, [1979] 2011, and [annually]
228 biennially thereafter, report to the General Assembly on the referral or
229 diversion of children under the age of seventeen years from the
230 juvenile justice system and on the referral or diversion of children aged
231 seventeen and eighteen years from the court system. Such report shall
232 include, but not be limited to, the number of times any child is so
233 diverted, the number of children diverted, the type of service provided
234 to any such child, by whom such child was diverted, the ages of the
235 children diverted and such other information and statistics as the
236 General Assembly may request from time to time. Any such report
237 shall contain no identifying information about any particular child.

238 Sec. 8. Subsection (c) of section 10-19m of the general statutes, as
239 amended by section 89 of public act 09-7 of the September special
240 session, is repealed and the following is substituted in lieu thereof
241 (*Effective July 1, 2012*):

242 (c) The Commissioner of Education shall adopt regulations, in
243 accordance with the provisions of chapter 54, establishing minimum
244 standards for such youth service bureaus and the criteria for qualifying
245 for state cost-sharing grants, including, but not limited to, allowable

246 sources of funds covering the local share of the costs of operating such
247 bureaus, acceptable in-kind contributions and application procedures.
248 Said commissioner shall, on December 1, [1979] 2011, and [annually]
249 biennially thereafter, report to the General Assembly on the referral or
250 diversion of children under the age of eighteen years from the juvenile
251 justice system and the court system. Such report shall include, but not
252 be limited to, the number of times any child is so diverted, the number
253 of children diverted, the type of service provided to any such child, by
254 whom such child was diverted, the ages of the children diverted and
255 such other information and statistics as the General Assembly may
256 request from time to time. Any such report shall contain no identifying
257 information about any particular child.

258 Sec. 9. Section 10-66gg of the general statutes is repealed and the
259 following is substituted in lieu thereof (*Effective July 1, 2011*):

260 [Within] Not later than January 1, 2012, and biennially thereafter,
261 within available appropriations, the Commissioner of Education shall
262 [annually,] review and report, in accordance with the provisions of
263 section 11-4a, on the operation of such charter schools as may be
264 established pursuant to sections 10-66aa to 10-66ff, inclusive, to the
265 joint standing committee of the General Assembly having cognizance
266 of matters relating to education. Such report shall include: (1)
267 Recommendations for any statutory changes that would facilitate
268 expansion in the number of charter schools; (2) a compilation of school
269 profiles pursuant to section 10-66cc; (3) an assessment of the adequacy
270 of funding pursuant to section 10-66ee, and (4) the adequacy and
271 availability of suitable facilities for such schools.

272 Sec. 10. Subsection (d) of section 10-4 of the general statutes is
273 repealed and the following is substituted in lieu thereof (*Effective July*
274 *1, 2011*):

275 (d) Not later than December 15, [2004] 2012, and [annually]
276 biennially thereafter, within available appropriations, the board shall
277 make reasonable efforts to ensure that summaries of reports required

278 pursuant to [subdivision] subdivisions (4) and (5) of subsection (b) of
279 section 10-16r, as amended by this act, are submitted. The board shall
280 summarize the reports and submit such summaries, in accordance
281 with section 11-4a, to the joint standing committee of the General
282 Assembly having cognizance of matters relating to education.

283 Sec. 11. Subsection (b) of section 10-16r of the general statutes is
284 repealed and the following is substituted in lieu thereof (*Effective July*
285 *1, 2011*):

286 (b) The local school readiness council shall: (1) Make
287 recommendations to the chief elected official and the superintendent of
288 schools on issues relating to school readiness, including any
289 applications for grants pursuant to sections 10-16p, 10-16u, 17b-749a
290 and 17b-749c; (2) foster partnerships among providers of school
291 readiness programs; (3) assist in the identification of (A) the need for
292 school readiness programs and the number of children not being
293 served by such a program, and (B) for priority school districts
294 pursuant to section 10-266p, the number of children not being served
295 by such a program and the estimated operating cost of providing
296 universal school readiness to eligible children in such districts who are
297 not being served; (4) submit biannual reports to the Department of
298 Education on the number and location of school readiness spaces [,]
299 and estimates of future needs; [, and the] (5) submit biennial reports on
300 factors identified pursuant to subdivision (3) of this subsection; [(5)] (6)
301 cooperate with the department in any program evaluation and, on and
302 after July 1, 2000, use measures developed pursuant to section 10-16s
303 for purposes of evaluating the effectiveness of school readiness
304 programs; [(6)] (7) identify existing and prospective resources and
305 services available to children and families; [(7)] (8) facilitate the
306 coordination of the delivery of services to children and families,
307 including (A) referral procedures, and (B) before and after-school child
308 care for children attending kindergarten programs; [(8)] (9) exchange
309 information with other councils, the community and organizations
310 serving the needs of children and families; [(9)] (10) make

311 recommendations to school officials concerning transition from school
312 readiness programs to kindergarten; and [(10)] (11) encourage public
313 participation.

314 Sec. 12. Subsection (a) of section 10-220 of the general statutes is
315 repealed and the following is substituted in lieu thereof (*Effective July*
316 *1, 2011*):

317 (a) Each local or regional board of education shall maintain good
318 public elementary and secondary schools, implement the educational
319 interests of the state as defined in section 10-4a and provide such other
320 educational activities as in its judgment will best serve the interests of
321 the school district; provided any board of education may secure such
322 opportunities in another school district in accordance with provisions
323 of the general statutes and shall give all the children of the school
324 district as nearly equal advantages as may be practicable; shall provide
325 an appropriate learning environment for its students which includes
326 (1) adequate instructional books, supplies, materials, equipment,
327 staffing, facilities and technology, (2) equitable allocation of resources
328 among its schools, (3) proper maintenance of facilities, and (4) a safe
329 school setting; shall have charge of the schools of its respective school
330 district; shall make a continuing study of the need for school facilities
331 and of a long-term school building program and from time to time
332 make recommendations based on such study to the town; shall adopt
333 and implement an indoor air quality program that provides for
334 ongoing maintenance and facility reviews necessary for the
335 maintenance and improvement of the indoor air quality of its facilities;
336 shall adopt and implement a green cleaning program, pursuant to
337 section 10-231g, that provides for the procurement and use of
338 environmentally preferable cleaning products in school buildings and
339 facilities; shall report [biennially] triennially to the Commissioner of
340 Education on the condition of its facilities and the action taken to
341 implement its long-term school building program, indoor air quality
342 program and green cleaning program, which report the Commissioner
343 of Education shall use to prepare a [biennial] triennial report that said

344 commissioner shall submit in accordance with section 11-4a to the joint
345 standing committee of the General Assembly having cognizance of
346 matters relating to education; shall advise the Commissioner of
347 Education of the relationship between any individual school building
348 project pursuant to chapter 173 and such long-term school building
349 program; shall have the care, maintenance and operation of buildings,
350 lands, apparatus and other property used for school purposes and at
351 all times shall insure all such buildings and all capital equipment
352 contained therein against loss in an amount not less than eighty per
353 cent of replacement cost; shall determine the number, age and
354 qualifications of the pupils to be admitted into each school; shall
355 develop and implement a written plan for minority staff recruitment
356 for purposes of subdivision (3) of section 10-4a; shall employ and
357 dismiss the teachers of the schools of such district subject to the
358 provisions of sections 10-151, as amended by this act, and 10-158a;
359 shall designate the schools which shall be attended by the various
360 children within the school district; shall make such provisions as will
361 enable each child of school age residing in the district to attend some
362 public day school for the period required by law and provide for the
363 transportation of children wherever transportation is reasonable and
364 desirable, and for such purpose may make contracts covering periods
365 of not more than five years; may place in an alternative school
366 program or other suitable educational program a pupil enrolling in
367 school who is nineteen years of age or older and cannot acquire a
368 sufficient number of credits for graduation by age twenty-one; may
369 arrange with the board of education of an adjacent town for the
370 instruction therein of such children as can attend school in such
371 adjacent town more conveniently; shall cause each child five years of
372 age and over and under eighteen years of age who is not a high school
373 graduate and is living in the school district to attend school in
374 accordance with the provisions of section 10-184, and shall perform all
375 acts required of it by the town or necessary to carry into effect the
376 powers and duties imposed by law.

377 Sec. 13. Section 10-155k of the general statutes is repealed and the

378 following is substituted in lieu thereof (*Effective July 1, 2011*):

379 The Commissioner of Education shall establish a School
380 Paraprofessional Advisory Council consisting of one representative
381 from each state-wide bargaining representative organization that
382 represents school paraprofessionals with instructional responsibilities.
383 The council shall hold quarterly meetings and annually advise [, at
384 least quarterly,] the Commissioner of Education, or the commissioner's
385 designee, of the needs for the training of such paraprofessionals and
386 the effectiveness of the content and the delivery of existing training for
387 such paraprofessionals. The council shall report, at least quarterly, in
388 accordance with the provisions of section 11-4a, on the
389 recommendations given to the commissioner, or the commissioner's
390 designee, pursuant to the provisions of this section, to the joint
391 standing committee of the General Assembly having cognizance of
392 matters relating to education.

393 Sec. 14. Subsection (d) of section 10-266w of the general statutes is
394 repealed and the following is substituted in lieu thereof (*Effective July*
395 *1, 2011*):

396 (d) Each local and regional board of education participating in the
397 grant program shall prepare a financial statement of expenditures
398 [which] that shall be submitted to the department [on or before
399 September first of the fiscal year immediately following each fiscal
400 year in which the school district participates in the grant program]
401 annually, at such time and in such manner as the Commissioner of
402 Education prescribes. If the commissioner finds that any school
403 breakfast grant recipient uses such grant for purposes which are not in
404 conformity with the purposes of this section, the commissioner [may]
405 shall require repayment of the grant to the state.

406 Sec. 15. Section 10-264o of the general statutes is repealed and the
407 following is substituted in lieu thereof (*Effective from passage*):

408 Notwithstanding any provision of this chapter, interdistrict magnet

409 schools that begin operations on or after July 1, 2008, pursuant to the
410 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et
411 al., as determined by the Commissioner of Education, may operate
412 without district participation agreements and enroll students from any
413 district through a lottery designated by the commissioner. For the
414 fiscal year ending June 30, 2009, any tuition charged to a local or
415 regional board of education by a regional educational service center
416 operating such an interdistrict magnet school shall be in an amount
417 equal to at least seventy-five per cent of the difference between the
418 estimated per pupil cost less the state magnet grant pursuant to
419 subsection (c) of section 10-264~~l~~ and any revenue from other sources as
420 determined by the interdistrict magnet school operator. For the fiscal
421 year ending June 30, 2010, any tuition charged to a local or regional
422 board of education by a regional educational service center operating
423 an interdistrict magnet school for any student enrolled in such
424 interdistrict magnet school shall be in an amount equal to at least
425 ninety per cent of the difference between (1) the average per pupil
426 expenditure of the magnet school for the prior fiscal year, and (2) the
427 amount of any per pupil state subsidy calculated under subsection (c)
428 of [this] section 10-264~~l~~ plus any revenue from other sources calculated
429 on a per pupil basis. For the fiscal year ending June 30, 2011, and each
430 fiscal year thereafter, any tuition charged to a local or regional board of
431 education by a regional educational service center operating an
432 interdistrict magnet school for any student enrolled in such
433 interdistrict magnet school shall be in an amount equal to the
434 difference between (A) the average per pupil expenditure of the
435 magnet school for the prior fiscal year, and (B) the amount of any per
436 pupil state subsidy calculated under subsection (c) of [this] section 10-
437 264~~l~~ plus any revenue from other sources calculated on a per pupil
438 basis. If any such board of education fails to pay such tuition, the
439 commissioner may withhold from such board's town or towns a sum
440 payable under section 10-262i in an amount not to exceed the amount
441 of the unpaid tuition to the magnet school and pay such money to the
442 fiscal agent for the magnet school as a supplementary grant for the

443 operation of the interdistrict magnet school program. In no case shall
444 the sum of such tuitions exceed the difference between (i) the total
445 expenditures of the magnet school for the prior fiscal year, and (ii) the
446 total per pupil state subsidy calculated under subsection (c) of [this]
447 section 10-264 plus any revenue from other sources. The
448 commissioner may conduct a comprehensive review of the operating
449 budget of a magnet school to verify such tuition rate.

450 Sec. 16. Subsection (c) of section 10-151 of the general statutes is
451 repealed and the following is substituted in lieu thereof (*Effective July*
452 *1, 2011*):

453 (c) The contract of employment of a teacher who has not attained
454 tenure may be terminated at any time for any of the reasons
455 enumerated in subdivisions (1) to (6), inclusive, of subsection (d) of
456 this section; otherwise the contract of such teacher shall be continued
457 into the next school year unless such teacher receives written notice by
458 [April] May first in one school year that such contract will not be
459 renewed for the following year. Upon the teacher's written request, a
460 notice of nonrenewal or termination shall be supplemented within
461 seven days after receipt of the request by a statement of the reason or
462 reasons for such nonrenewal or termination. Such teacher, upon
463 written request filed with the board of education within twenty days
464 after the receipt of notice of termination, or nonrenewal shall be
465 entitled to a hearing, except as provided in this subsection, [(A)] (1)
466 before the board, [(B)] (2) if indicated in such request and if designated
467 by the board, before an impartial hearing panel established and
468 conducted in accordance with the provisions of subsection (d) of this
469 section, or [(C)] (3) if the parties mutually agree before a single
470 impartial hearing officer chosen by the teacher and the superintendent
471 in accordance with the provisions of subsection (d) of this section. Such
472 hearing shall commence within fifteen days after receipt of such
473 request unless the parties mutually agree to an extension not to exceed
474 fifteen days. The impartial hearing panel or officer or a subcommittee
475 of the board of education, if the board of education designates a

476 subcommittee of three or more board members to conduct hearings,
477 shall submit written findings and recommendations to the board for
478 final disposition. The teacher shall have the right to appear with
479 counsel of the teacher's choice at the hearing. A teacher who has not
480 attained tenure shall not be entitled to a hearing concerning
481 nonrenewal if the reason for such nonrenewal is either elimination of
482 position or loss of position to another teacher. The board of education
483 shall rescind a nonrenewal decision only if the board finds such
484 decision to be arbitrary and capricious. Any such teacher whose
485 contract is terminated for the reasons enumerated in subdivisions (3)
486 and (4) of subsection (d) of this section shall have the right to appeal in
487 accordance with the provisions of subsection (e) of this section.

488 Sec. 17. Subdivision (2) of subsection (j) of section 10-145b of the
489 general statutes is repealed and the following is substituted in lieu
490 thereof (*Effective from passage*):

491 (2) When the Commissioner of Education is notified, pursuant to
492 section 10-149a or 17a-101i, that a person holding a certificate,
493 authorization or permit issued by the State Board of Education under
494 the provisions of sections 10-144o to 10-149, inclusive, has been
495 convicted of (A) a capital felony, pursuant to section 53a-54b, (B) arson
496 murder, pursuant to section 53a-54d, (C) a class A felony, (D) a class B
497 felony, except a violation of section 53a-122, 53a-252 or 53a-291, (E) a
498 crime involving an act of child abuse or neglect as described in section
499 46b-120, or (F) a violation of section 53-21, 53-37a, [53a-49,] 53a-60b,
500 53a-60c, 53a-71, 53a-72a, 53a-72b, 53a-73a, 53a-88, 53a-90a, 53a-99, 53a-
501 103a, 53a-181c, 53a-191, 53a-196, 53a-196c, 53a-216, 53a-217b or 21a-278
502 or subsection (a) of section 21a-277, any certificate, permit or
503 authorization issued by the State Board of Education and held by such
504 person shall be deemed revoked and the commissioner shall notify
505 such person of such revocation, provided such person may request
506 reconsideration pursuant to regulations adopted by the State Board of
507 Education, in accordance with the provisions of chapter 54. As part of
508 such reconsideration process, the board shall make the initial

509 determination as to whether to uphold or overturn the revocation. The
510 commissioner shall make the final determination as to whether to
511 uphold or overturn the revocation.

512 Sec. 18. Section 10-145i of the general statutes is repealed and the
513 following is substituted in lieu thereof (*Effective from passage*):

514 Notwithstanding the provisions of sections 10-144o to 10-146b,
515 inclusive, and 10-149, the State Board of Education shall not issue or
516 reissue any certificate, authorization or permit pursuant to said
517 sections if (1) the applicant for such certificate, authorization or permit
518 has been convicted of any of the following: (A) A capital felony, as
519 defined in section 53a-54b; (B) arson murder, as defined in section 53a-
520 54d; (C) any class A felony; (D) any class B felony except a violation of
521 section 53a-122, 53a-252 or 53a-291; (E) a crime involving an act of
522 child abuse or neglect as described in section 46b-120; or (F) a violation
523 of section 53-21, 53-37a, [53a-49,] 53a-60b, 53a-60c, 53a-71, 53a-72a, 53a-
524 72b, 53a-73a, 53a-88, 53a-90a, 53a-99, 53a-103a, 53a-181c, 53a-191, 53a-
525 196, 53a-196c, 53a-216, 53a-217b or 21a-278 or a violation of subsection
526 (a) of section 21a-277, and (2) the applicant completed serving the
527 sentence for such conviction within the five years immediately
528 preceding the date of the application.

529 Sec. 19. Section 10-10a of the general statutes is repealed and the
530 following is substituted in lieu thereof (*Effective July 1, 2011*):

531 (a) As used in this section:

532 (1) "Teacher" means any certified professional employee below the
533 rank of superintendent employed by a board of education for at least
534 ninety days in a position requiring a certificate issued by the State
535 Board of Education;

536 (2) "Teacher preparation program" means a program designed to
537 qualify an individual for professional certification as an educator
538 provided by institutions of higher education or other providers

539 approved by the Department of Education, including, but not limited
540 to, an alternate route to certification program.

541 (b) The Department of Education shall develop and implement a
542 state-wide public school information system. The system shall be
543 designed for the purpose of establishing a standardized electronic data
544 collection and reporting protocol that will facilitate compliance with
545 state and federal reporting requirements, improve school-to-school
546 and district-to-district information exchanges, and maintain the
547 confidentiality of individual student and staff data. The initial design
548 shall focus on student information, provided the system shall be
549 created to allow for future compatibility with financial, facility and
550 staff data. The system shall provide for the tracking of the performance
551 of individual students on each of the state-wide mastery examinations
552 under section 10-14n in order to allow the department to compare the
553 progress of the same cohort of students who take each examination
554 and to better analyze school performance. The department shall assign
555 a unique student identifier to each student prior to tracking the
556 performance of a student in the public school information system.

557 (c) On or before July 1, 2013, the department shall expand the state-
558 wide public school information system as follows:

559 (1) Track and report data relating to student, teacher and school and
560 district performance growth and make such information available to
561 local and regional boards of education for use in evaluating
562 educational performance and growth of teachers and students enrolled
563 in public schools in the state. Such information shall be collected or
564 calculated based on information received from local and regional
565 boards of education and other relevant sources. Such information shall
566 include, but not be limited to:

567 (A) In addition to performance on state-wide mastery examinations
568 pursuant to subsection (b) of this section, data relating to students shall
569 include, but not be limited to, (i) the primary language spoken at the
570 home of a student, (ii) student transcripts, (iii) student attendance and

571 student mobility, and (iv) reliable, valid assessments of a student's
572 readiness to enter public school at the kindergarten level;

573 (B) Data relating to teachers shall include, but not be limited to, (i)
574 teacher credentials, such as master's degrees, teacher preparation
575 programs completed and certification levels and endorsement areas,
576 (ii) teacher assessments, such as whether a teacher is deemed highly
577 qualified pursuant to the No Child Left Behind Act, P.L. 107-110, or
578 deemed to meet such other designations as may be established by
579 federal law or regulations for the purposes of tracking the equitable
580 distribution of instructional staff, (iii) the presence of substitute
581 teachers in a teacher's classroom, (iv) class size, (v) numbers relating to
582 absenteeism in a teacher's classroom, and (vi) the presence of a
583 teacher's aide. The department shall assign a unique teacher identifier
584 to each teacher prior to collecting such data in the public school
585 information system;

586 (C) Data relating to schools and districts shall include, but not be
587 limited to, (i) school population, (ii) annual student graduation rates,
588 (iii) annual teacher retention rates, (iv) school disciplinary records,
589 such as data relating to suspensions, expulsions and other disciplinary
590 actions, (v) the percentage of students whose primary language is not
591 English, (vi) the number of and professional credentials of support
592 personnel, and (vii) information relating to instructional technology,
593 such as access to computers.

594 (2) Collect data relating to student enrollment in and graduation
595 from institutions of higher education for any student who had been
596 assigned a unique student identifier pursuant to subsection (b) of this
597 section, provided such data is available.

598 (3) Develop means for access to and data sharing with the data
599 systems of public institutions of higher education in the state.

600 (d) On or before July 1, 2011, and each year thereafter until July 1,
601 2013, the Commissioner of Education shall report, in accordance with

602 the provisions of section 11-4a, to the joint standing committee of the
603 General Assembly having cognizance of matters relating to education
604 on the progress of the department's efforts to expand the state-wide
605 public school information system pursuant to subsection (c) of this
606 section. The report shall include a full statement of those data elements
607 that are currently included in the system and those data elements that
608 will be added on or before July 1, 2013.

609 (e) The system database of student information shall not be
610 considered a public record for the purposes of section 1-210. Nothing
611 in this section shall be construed to limit the ability of a full-time
612 permanent employee of a nonprofit organization that is exempt from
613 taxation under Section 501(c)(3) of the Internal Revenue Code of 1986,
614 or any subsequent corresponding internal revenue code of the United
615 States, as from time to time amended, and that is organized and
616 operated for educational purposes, to obtain information in accordance
617 with the provisions of subsection (h) of this section.

618 (f) All school districts shall participate in the system, and report all
619 necessary information required by this section, provided the
620 department provides for technical assistance and training of school
621 staff in the use of the system.

622 (g) Local and regional boards of education and preschool programs
623 which receive state or federal funding shall participate, in a manner
624 prescribed by the Commissioner of Education, in the state-wide public
625 school information system described in subsection (b) of this section.
626 Participation for purposes of this subsection shall include, but not be
627 limited to, reporting on (1) student experiences in preschool by
628 program type and by numbers of months in each such program, and
629 (2) the readiness of students entering kindergarten and student
630 progress in kindergarten. Such reporting shall be done by October 1,
631 2007, and annually thereafter.

632 (h) On and after August 1, 2009, upon receipt of a written request to
633 access data maintained under this section by a full-time permanent

634 employee of a nonprofit organization that is exempt from taxation
635 under Section 501(c)(3) of the Internal Revenue Code of 1986, or any
636 subsequent corresponding internal revenue code of the United States,
637 as from time to time amended, and that is organized and operated for
638 educational purposes, the Department of Education shall provide such
639 data to such requesting party not later than sixty days after such
640 request, provided such requesting party shall be responsible for the
641 reasonable cost of such request. The Department of Information
642 Technology shall monitor the calculation of such fees charged for
643 access to or copies of such records to ensure that such fees are
644 reasonable and consistent with those charged by other state agencies.
645 The Department of Education shall respond to written requests under
646 this section in the order in which they are received.

647 (i) The Commissioner of Education shall authorize the
648 superintendent of schools of a school district, or his or her designee, to
649 access information in the state-wide public school information system
650 regarding the state-wide mastery examination under section 10-14n.
651 Such access shall be for the limited purpose of determining
652 examination dates, examination scores and levels of student
653 achievement on such examinations.

654 Sec. 20. Section 10-198a of the general statutes is repealed and the
655 following is substituted in lieu thereof (*Effective July 1, 2011*):

656 (a) For purposes of this section, "truant" means a child age five to
657 eighteen, inclusive, who is enrolled in a public or private school and
658 has four unexcused absences from school in any one month or ten
659 unexcused absences from school in any school year.

660 (b) Each local and regional board of education shall adopt and
661 implement policies and procedures concerning truants who are
662 enrolled in schools under the jurisdiction of such board of education.
663 Such policies and procedures shall include, but need not be limited to,
664 the following: (1) The holding of a meeting with the parent of each
665 child who is a truant, or other person having control of such child, and

666 appropriate school personnel to review and evaluate the reasons for
667 the child being a truant, provided such meeting shall be held not later
668 than ten school days after the child's fourth unexcused absence in a
669 month or tenth unexcused absence in a school year, (2) coordinating
670 services with and referrals of children to community agencies
671 providing child and family services, (3) annually at the beginning of
672 the school year and upon any enrollment during the school year,
673 notifying the parent or other person having control of each child
674 enrolled in a grade from kindergarten to eight, inclusive, in the public
675 schools in writing of the obligations of the parent or such other person
676 pursuant to section 10-184, (4) annually at the beginning of the school
677 year and upon any enrollment during the school year, obtaining from
678 the parent or other person having control of each child in a grade from
679 kindergarten to eight, inclusive, a telephone number or other means of
680 contacting such parent or such other person during the school day and
681 (5) a system of monitoring individual unexcused absences of children
682 in grades kindergarten to eight, inclusive, which shall provide that
683 whenever a child enrolled in school in any such grade fails to report to
684 school on a regularly scheduled school day and no indication has been
685 received by school personnel that the child's parent or other person
686 having control of the child is aware of the pupil's absence, a reasonable
687 effort to notify, by telephone and by mail, the parent or such other
688 person shall be made by school personnel or volunteers under the
689 direction of school personnel. Such mailed notice shall be a written
690 letter and include a warning that two unexcused absences from school
691 in a month or five unexcused absences in a school year may result in a
692 complaint filed with the Superior Court pursuant to subsection (a) of
693 section 46b-149 alleging that acts or omissions of the child are such that
694 the child is from a family with service needs. Any person who, in good
695 faith, gives or fails to give notice pursuant to subdivision (5) of this
696 subsection shall be immune from any liability, civil or criminal, which
697 might otherwise be incurred or imposed and shall have the same
698 immunity with respect to any judicial proceeding which results from
699 such notice or failure to give such notice.

700 (c) If the parent or other person having control of a child who is a
701 truant fails to attend the meeting held pursuant to subdivision (1) of
702 subsection (b) of this section or if such parent or other person
703 otherwise fails to cooperate with the school in attempting to solve the
704 truancy problem, such policies and procedures shall require the
705 superintendent of schools to file, not later than thirty calendar days
706 after such failure to attend such meeting or such failure to cooperate
707 with the school attempting to solve the truancy problem, for each such
708 truant enrolled in the schools under his jurisdiction a written
709 complaint with the Superior Court pursuant to section 46b-149 alleging
710 the belief that the acts or omissions of the child are such that his family
711 is a family with service needs.

712 (d) Nothing in subsections (a) to (c), inclusive, of this section shall
713 preclude a local or regional board of education from adopting policies
714 and procedures pursuant to this section which exceed the
715 requirements of said subsections.

716 (e) The provisions of this section shall not apply to any child
717 receiving equivalent instruction pursuant to section 10-184.

718 Sec. 21. (NEW) (*Effective July 1, 2011*) On or before July 1, 2012, the
719 State Board of Education shall define "excused absence" and
720 "unexcused absence" for use by local and regional boards of education
721 for the purpose of carrying out the provisions of section 10-198a of the
722 general statutes, as amended by this act, and for the purpose of
723 reporting truancy, pursuant to subsection (c) of section 10-220 of the
724 general statutes.

725 Sec. 22. Subsection (f) of section 10-183h of the general statutes is
726 repealed and the following is substituted in lieu thereof (*Effective from*
727 *passage*):

728 (f) Notwithstanding the provisions of subparagraph (B) of
729 subdivision [(22)] (23) of section 10-183b, benefits payable under this
730 section to a surviving spouse shall not be terminated because of

731 remarriage if such surviving spouse has attained the age of sixty.

732 Sec. 23. Subdivision (3) of subsection (a) of section 10-266m of the
 733 general statutes is repealed and the following is substituted in lieu
 734 thereof (*Effective from passage*):

735 (3) Notwithstanding the provisions of subdivisions (1) and (2) of
 736 this [section] subsection, for the fiscal year ending June 30, 1997, and
 737 for each fiscal year thereafter, no local or regional board of education
 738 shall receive a grant of less than one thousand dollars.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2011</i>	10-16b
Sec. 2	<i>July 1, 2011</i>	10-220a(a)
Sec. 3	<i>July 1, 2011</i>	10-221r
Sec. 4	<i>July 1, 2011</i>	New section
Sec. 5	<i>July 1, 2011</i>	10-153f(c)(4)
Sec. 6	<i>July 1, 2011</i>	10-16x(g)
Sec. 7	<i>July 1, 2011</i>	10-19m
Sec. 8	<i>July 1, 2012</i>	10-19m(c)
Sec. 9	<i>July 1, 2011</i>	10-66gg
Sec. 10	<i>July 1, 2011</i>	10-4(d)
Sec. 11	<i>July 1, 2011</i>	10-16r(b)
Sec. 12	<i>July 1, 2011</i>	10-220(a)
Sec. 13	<i>July 1, 2011</i>	10-155k
Sec. 14	<i>July 1, 2011</i>	10-266w(d)
Sec. 15	<i>from passage</i>	10-264o
Sec. 16	<i>July 1, 2011</i>	10-151(c)
Sec. 17	<i>from passage</i>	10-145b(j)(2)
Sec. 18	<i>from passage</i>	10-145i
Sec. 19	<i>July 1, 2011</i>	10-10a
Sec. 20	<i>July 1, 2011</i>	10-198a
Sec. 21	<i>July 1, 2011</i>	New section
Sec. 22	<i>from passage</i>	10-183h(f)
Sec. 23	<i>from passage</i>	10-266m(a)(3)

Statement of Purpose:

To include genocide education in the materials provided by the Department of Education to school districts for student curriculum and educator in-service training; to classify American sign language as a foreign language for purposes of the prescribed education curriculum; to include the international baccalaureate diploma program as part of the definition of "advanced placement course program"; 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; to require that the legislative body of a school district receive a copy of a completed mediation and arbitration decision; to amend certain reporting requirements; to change the month that a teacher shall be notified that such teacher's contract will not be renewed for the following year from April to May; to allow superintendents limited access to information in the state-wide public school information system; to require boards of education to provide written notice to parents that unexcused absences could result in a complaint filed with the Superior Court; to require the State Board of Education to define "excused absence" and "unexcused absence"; and to make minor revisions to the education statutes.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]