



House of Representatives

File No. 874

General Assembly

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Substitute House Bill No. 6498
As Amended by House Amendment
Schedule "A"

Approved by the Legislative Commissioner
June 2, 2011

AN ACT CONCERNING IMPLEMENTATION DATES FOR SECONDARY SCHOOL REFORM, EXCEPTIONS TO THE SCHOOL GOVERNANCE COUNCIL REQUIREMENT AND THE INCLUSION OF CONTINUOUS EMPLOYMENT IN A COOPERATIVE ARRANGEMENT AS PART OF THE DEFINITION OF TEACHER TENURE.

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

1 Section 1. Subsections (b) to (d), inclusive, of section 10-221a of the
2 general statutes are repealed and the following is substituted in lieu
3 thereof (*Effective from passage*):

4 (b) For classes graduating from 2004 to [2017] 2019, inclusive, no
5 local or regional board of education shall permit any student to
6 graduate from high school or grant a diploma to any student who has
7 not satisfactorily completed a minimum of twenty credits, not fewer
8 than four of which shall be in English, not fewer than three in
9 mathematics, not fewer than three in social studies, including at least a
10 one-half credit course on civics and American government, not fewer
11 than two in science, not fewer than one in the arts or vocational
12 education and not fewer than one in physical education.

13 (c) Commencing with classes graduating in [2018] 2020, and for each
14 graduating class thereafter, no local or regional board of education
15 shall permit any student to graduate from high school or grant a
16 diploma to any student who has not satisfactorily completed (1) a
17 minimum of twenty-five credits, including not fewer than: (A) Nine
18 credits in the humanities, including not fewer than (i) four credits in
19 English, including composition; (ii) three credits in social studies,
20 including at least one credit in American history and at least one-half
21 credit in civics and American government; (iii) one credit in fine arts;
22 and (iv) one credit in a humanities elective; (B) eight credits in science,
23 technology, engineering and mathematics, including not fewer than (i)
24 four credits in mathematics, including algebra I, geometry and algebra
25 II or probability and statistics; (ii) three credits in science, including at
26 least one credit in life science and at least one credit in physical science;
27 and (iii) one credit in a science, technology, engineering and
28 mathematics elective; (C) three and one-half credits in career and life
29 skills, including not fewer than (i) one credit in physical education; (ii)
30 one-half credit in health and safety education, as described in section
31 10-16b; and (iii) two credits in career and life skills electives, such as
32 career and technical education, English as a second language,
33 community service, personal finance, public speaking and nutrition
34 and physical activity; (D) two credits in world languages, subject to the
35 provisions of subsection (g) of this section; and (E) a one credit senior
36 demonstration project or its equivalent, as approved by the State Board
37 of Education; and (2) end of the school year examinations for the
38 following courses: (A) Algebra I, (B) geometry, (C) biology, (D)
39 American history, and (E) grade ten English.

40 (d) Commencing with classes graduating in [2018] 2020, and for
41 each graduating class thereafter, local and regional boards of education
42 shall provide adequate student support and remedial services for
43 students beginning in grade seven. Such student support and remedial
44 services shall provide alternate means for a student to complete any of
45 the high school graduation requirements or end of the school year
46 examinations described in subsection (c) of this section, if such student

47 is unable to satisfactorily complete any of the required courses or
48 exams. Such student support and remedial services shall include, but
49 not be limited to, (1) allowing students to retake courses in summer
50 school or through an on-line course; (2) allowing students to enroll in a
51 class offered at a constituent unit of the state system of higher
52 education, as defined in section 10a-1, pursuant to subdivision (4) of
53 subsection (g) of this section; (3) allowing students who received a
54 failing score, as determined by the Commissioner of Education, on an
55 end of the school year exam to take an alternate form of the exam; and
56 (4) allowing those students whose individualized education plans state
57 that such students are eligible for an alternate assessment to
58 demonstrate competency on any of the five core courses through
59 success on such alternate assessment.

60 Sec. 2. Subsection (j) of section 10-221a of the general statutes is
61 repealed and the following is substituted in lieu thereof (*Effective from*
62 *passage*):

63 (j) For the school year commencing July 1, 2012, and each school
64 year thereafter, [a] each local [or] and regional board of education shall
65 [collect information] create a student success plan for each student
66 enrolled in a public school, beginning in grade six, [, that records
67 students'] Such student success plan shall include a student's career
68 and academic choices in grades six to twelve, inclusive.

69 Sec. 3. Section 10-5d of the general statutes is repealed and the
70 following is substituted in lieu thereof (*Effective from passage*):

71 (a) For the fiscal years ending June 30, [2013, to] 2012, and June 30,
72 [2018] 2013, inclusive, the Department of Education shall, within
73 available appropriations, provide [grants to] technical assistance to any
74 local [and] or regional [school districts to begin] board of education
75 that begins implementation of the provisions of subsections (c) and (d)
76 of section 10-221a, as amended by this act.

77 (b) On or before November 1, [2012] 2013, and biennially thereafter,
78 each local or regional board of education [seeking grant] receiving

79 technical assistance from the department pursuant to subsection (a) of
80 this section shall report to the department on the status of the school
81 district's implementation of the provisions of subsections (c) and (d) of
82 section 10-221a, [and an explanation for the reasons why funds are
83 necessary for the next biennium to implement the provisions of
84 subsections (c) and (d) of said section 10-221a] as amended by this act.

85 (c) On or before February 1, [2013] 2014, and biennially thereafter,
86 the department shall report, in accordance with the provisions of
87 section 11-4a, to the joint standing committee of the General Assembly
88 having cognizance of matters relating to education on the status of
89 implementation of the provisions of subsections (c) and (d) of section
90 10-221a, as amended by this act, by local and regional boards of
91 education in the state. Such report shall include, (1) an explanation of
92 any existing state and federal funds currently available to assist in such
93 implementation, (2) recommendations regarding the appropriation of
94 additional state funds to support local and regional boards of
95 education in the implementation of subsections (c) and (d) of said
96 section 10-221a, and (3) recommendations for any statutory changes
97 that would facilitate implementation of subsections (c) and (d) of said
98 section 10-221a by local and regional boards of education.

99 Sec. 4. Section 10-5e of the general statutes is repealed and the
100 following is substituted in lieu thereof (*Effective from passage*):

101 On and after July 1, [2012] 2014, the Department of Education shall
102 commence development or approval of the end of the school year
103 examinations to be administered pursuant to subdivision (2) of
104 subsection (c) of section 10-221a, as amended by this act. Such
105 examinations shall be developed or approved on or before July 1,
106 [2014] 2016.

107 Sec. 5. Subsection (g) of section 10-223e of the general statutes is
108 repealed and the following is substituted in lieu thereof (*Effective from*
109 *passage*):

110 (g) (1) (A) [On] Except as provided in subparagraph (C) of this

111 subdivision, on and after July 1, 2010, the local or regional board of
112 education for a school that has been identified as in need of
113 improvement pursuant to subsection (a) of this section may establish,
114 in accordance with the provisions of this subsection, a school
115 governance council for each school so identified.

116 (B) [On] Except as provided in subparagraph (C) of this subdivision,
117 on and after July 1, 2010, the local or regional board of education for a
118 school that has been designated as a low achieving school, pursuant to
119 subdivision (1) of subsection (c) of this section, due to such school
120 failing to make adequate yearly progress in mathematics and reading
121 at the whole school level shall establish, in accordance with the
122 provisions of this subsection, a school governance council for each
123 school so designated.

124 (C) The provisions of subparagraphs (A) and (B) of this subdivision
125 shall not apply to a school described in said subparagraphs if (i) such
126 school consists of a single grade level, or (ii) such school is under the
127 jurisdiction of a local or regional board of education that has adopted a
128 similar school governance council model on or before July 1, 2011, that
129 consists of parents, teachers from each grade level or subject area,
130 administrators and paraprofessionals and such school governance
131 council model is being administered at such school at the time such
132 school is so identified as in need of improvement or so designated as a
133 low achieving school.

134 (2) (A) The school governance council for high schools shall consist
135 of (i) seven members who shall be parents or guardians of students
136 attending the school, (ii) two members who shall be community
137 leaders within the school district, (iii) five members who shall be
138 teachers at the school, (iv) one nonvoting member who is the principal
139 of the school, or his or her designee, and (v) two nonvoting student
140 members who shall be students at the school. The parent or guardian
141 members shall be elected by the parents or guardians of students
142 attending the school, provided, for purposes of the election, each
143 household with a student attending the school shall have one vote. The

144 community leader members shall be elected by the parent or guardian
145 members and teacher members of the school governance council. The
146 teacher members shall be elected by the teachers of the school. The
147 nonvoting student members shall be elected by the student body of the
148 school.

149 (B) The school governance council for elementary and middle
150 schools shall consist of (i) seven members who shall be parents or
151 guardians of students attending the school, (ii) two members who shall
152 be community leaders within the school district, (iii) five members
153 who shall be teachers at the school, and (iv) one nonvoting member
154 who is the principal of the school, or his or her designee. The parent or
155 guardian members shall be elected by the parents or guardians of
156 students attending the school, provided, for purposes of the election,
157 each household with a student attending the school shall have one
158 vote. The community leader members shall be elected by the parent or
159 guardian members and teacher members of the school governance
160 council. The teacher members shall be elected by the teachers of the
161 school.

162 (C) Terms of voting members elected pursuant to this subdivision
163 shall be for two years and no members shall serve more than two
164 terms on the council. The nonvoting student members shall serve one
165 year and no student member shall serve more than two terms on the
166 council.

167 (D) (i) [Schools] Except for those schools described in subparagraph
168 (C) of subdivision (1) of this subsection, schools that have been
169 designated as a low achieving school pursuant to subdivision (1) of
170 subsection (c) of this section due to such school failing to make
171 adequate yearly progress in mathematics and reading at the whole
172 school level prior to July 1, 2010, and are among the lowest five per
173 cent of schools in the state based on achievement shall establish a
174 school governance council for the school not later than January 15,
175 2011.

176 (ii) [Schools] Except for those schools described in subparagraph (C)
177 of subdivision (1) of this subsection, schools that have been designated
178 as a low achieving school, pursuant to subdivision (1) of subsection (c)
179 of this section, due to such school failing to make adequate yearly
180 progress in mathematics and reading at the whole school level prior to
181 July 1, 2010, but are not among the lowest five per cent of schools in
182 the state based on achievement, shall establish a school governance
183 council for the school not later than November 1, 2011.

184 (3) The school governance council shall have the following
185 responsibilities: (A) Analyzing school achievement data and school
186 needs relative to the improvement plan for the school prepared
187 pursuant to this section; (B) reviewing the fiscal objectives of the draft
188 budget for the school and providing advice to the principal of the
189 school before such school's budget is submitted to the superintendent
190 of schools for the district; (C) participating in the hiring process of the
191 school principal or other administrators of the school by conducting
192 interviews of candidates and reporting on such interviews to the
193 superintendent of schools for the school district and the local and
194 regional board of education; (D) assisting the principal of the school in
195 making programmatic and operational changes for improving the
196 school's achievement, including program changes, adjusting school
197 hours and days of operation, and enrollment goals for the school; (E)
198 working with the school administration to develop and approve a
199 school compact for parents, legal guardians and students that includes
200 an outline of the criteria and responsibilities for enrollment and school
201 membership consistent with the school's goals and academic focus,
202 and the ways that parents and school personnel can build a
203 partnership to improve student learning; (F) developing and
204 approving a written parent involvement policy that outlines the role of
205 parents and legal guardians in the school; (G) utilizing records relating
206 to information about parents and guardians of students maintained by
207 the local or regional board of education for the sole purpose of the
208 election described in subdivision (2) of this subsection. Such
209 information shall be confidential and shall only be disclosed as

210 provided in this subparagraph and shall not be further disclosed; and
211 (H) if the council determines it necessary and subject to the provisions
212 of subdivision [(9)] (8) of this subsection recommending reconstitution
213 of the school in accordance with the provisions of subdivision (6) of
214 this subsection.

215 (4) The school governance council or a similar school governance
216 council model, described in subparagraph (C) of subdivision (1) of this
217 subsection, at a school that has been identified as in need of
218 improvement pursuant to subsection (a) of this section may: (A) In
219 those schools that require an improvement plan, review the annual
220 draft report detailing the goals set forth in the state accountability plan
221 prepared in accordance with subsection (a) of this section and provide
222 advice to the principal of the school prior to submission of the report to
223 the superintendent of schools; (B) in those schools where an
224 improvement plan becomes required pursuant to subsection (a) of this
225 section, assist the principal of the school in developing such plan prior
226 to its submission to the superintendent of schools; (C) work with the
227 principal of the school to develop, conduct and report the results of an
228 annual survey of parents, guardians and teachers on issues related to
229 the school climate and conditions; and (D) provide advice on any other
230 major policy matters affecting the school to the principal of the school,
231 except on any matters relating to provisions of any collective
232 bargaining agreement between the exclusive bargaining unit for
233 teachers pursuant to section 10-153b and local or regional boards of
234 education.

235 (5) The local or regional board of education shall provide
236 appropriate training and instruction to members of the school
237 governance council or a similar school governance council model,
238 described in subparagraph (C) of subdivision (1) of this subsection, at a
239 school that has been identified as in need of improvement pursuant to
240 subsection (a) of this section to aid them in the execution of their
241 duties.

242 (6) (A) The school governance council or a similar school

243 governance council model, described in subparagraph (C) of
244 subdivision (1) of this subsection, at a school that has been designated
245 as a law achieving school, pursuant to subdivision (1) of subsection (c)
246 of this section may, by an affirmative vote of the council, recommend
247 the reconstitution of the school into one of the following models: (i)
248 The turnaround model, as described in the Federal Register of
249 December 10, 2009; (ii) the restart model, as described in the Federal
250 Register of December 10, 2009; (iii) the transformation model, as
251 described in the Federal Register of December 10, 2009; (iv) any other
252 model that may be developed by federal law; (v) a CommPACT
253 school, pursuant to section 10-74g; or (vi) an innovation school,
254 pursuant to section 10-74h. Not later than ten days after the school
255 governance council informs the local or regional board of education of
256 its recommendation for the school, such board shall hold a public
257 hearing to discuss such vote of the school governance council and
258 shall, at the next regularly scheduled meeting of such board or ten
259 days after such public hearing, whichever is later, conduct a vote to
260 accept the model recommended by the school governance council,
261 select an alternative model described in this subdivision or maintain
262 the current school status. If the board selects an alternative model, the
263 board shall meet with such school governance council to discuss an
264 agreement on which alternative to adopt not later than ten days after
265 such vote of the board. If no such agreement can be achieved, not later
266 than forty-five days after the last such meeting between the board and
267 the school governance council, the Commissioner of Education shall
268 decide which of the alternatives to implement. If the board votes to
269 maintain the current school status, not later than forty-five days after
270 such vote of the board, the Commissioner of Education shall decide
271 whether to implement the model recommended by the school
272 governance council or to maintain the current school status. If the final
273 decision pursuant to this subdivision is adoption of a model, the local
274 or regional board of education shall implement such model during the
275 subsequent school year in conformance with the general statutes and
276 applicable regulations, and the provisions specified in federal
277 regulations and guidelines for schools subject to restructuring

278 pursuant to Section 1116(b)(8) of the No Child Left Behind Act, P.L.
279 107-110 or any other applicable federal laws or regulations.

280 (B) Any school governance council for a school or any similar school
281 governance council model, described in subparagraph (C) of
282 subdivision (1) of this subsection, at a school that has been identified as
283 in need of improvement pursuant to subsection (a) of this section may
284 recommend reconstitution, pursuant to subparagraph (H) of
285 subdivision (3) of this subsection, during the third year after such
286 school governance council or such similar school governance council
287 model was established if the school for such governance council has
288 not reconstituted as a result of receiving a school improvement grant
289 pursuant to Section 1003(g) of Title I of the Elementary and Secondary
290 Education Act, 20 USC 6301 et seq., or such reconstitution was initiated
291 by a source other than the school governance council.

292 (7) A school governance council or any similar school governance
293 council model, described in subparagraph (C) of subdivision (1) of this
294 subsection, at a school that has been identified as in need of
295 improvement pursuant to subsection (a) of this section shall be
296 considered a component of parental involvement for purposes of
297 federal funding pursuant to Section 1118 of the No Child Left Behind
298 Act, P.L. 107-110.

299 [(8) The Commissioner of Education shall evaluate the school
300 governance councils established on or before January 15, 2011, based
301 on the criteria described in subsection (a) of section 10-4s. On or before
302 October 1, 2014, the commissioner shall report, in accordance with the
303 provisions of section 11-4a, to the joint standing committee of the
304 General Assembly having cognizance of matters relating to education
305 on the evaluation conducted pursuant to this subdivision. Such report
306 shall also include recommendations whether to continue to allow
307 school governance councils to recommend reconstitution pursuant to
308 this subsection.]

309 [(9)] (8) The [department] Department of Education shall allow not

310 more than twenty-five schools per school year to reconstitute pursuant
311 to this subsection. The department shall notify school districts and
312 school governance councils when this limit has been reached. For
313 purposes of this subdivision, a reconstitution shall be counted towards
314 this limit upon receipt by the department of notification of a final
315 decision regarding reconstitution by the local or regional board of
316 education.

317 Sec. 6. Section 10-4s of the general statutes is repealed and the
318 following is substituted in lieu thereof (*Effective from passage*):

319 (a) [The Department of Education shall monitor, within available
320 appropriations, those schools that have reconstituted pursuant to
321 subsection (g) of section 10-223e to determine whether such schools
322 have demonstrated progress with regard to the following indicators:
323 (1) The reconstitution model adopted by the school; (2) the length of
324 the school day and school year; (3) the number and type of disciplinary
325 incidents; (4) the number of truants; (5) the dropout rate; (6) the
326 student attendance rate; (7) the average scale scores on the state-wide
327 mastery examination pursuant to section 10-14n; (8) for high schools,
328 the number and percentage of students completing advanced
329 placement coursework; (9) the teacher attendance rate; and (10) the
330 existence and size of the parent-teacher organization for the school.
331 Such monitoring shall be conducted over the two-year period
332 following such reconstitution.] On or before December 1, 2011, and
333 biennially thereafter, the Department of Education shall report, in
334 accordance with the provisions of section 11-4a, to the joint standing
335 committee of the General Assembly having cognizance of matters
336 relating to education on the number of school governance councils
337 established pursuant to subsection (g) of section 10-223e, as amended
338 by this act.

339 (b) [On or before January 1, 2012, the department shall report, in
340 accordance with the provisions of section 11-4a, to the joint standing
341 committee of the General Assembly having cognizance of matters
342 relating to education on (1) the number of school governance councils

343 established pursuant to subsection (g) of section 10-223e, and (2) the
344 number of schools that have been reconstituted and the models, as
345 described in said subsection (g), that have been adopted as part of such
346 reconstitution.] On or before December 1, 2013, and biennially
347 thereafter, the department shall include in the report described in
348 subsection (a) of this section an evaluation of the establishment and
349 effectiveness of the school governance councils established pursuant to
350 subsection (g) of section 10-223e, as amended by this act.

351 (c) [On or before January 1, 2013, the department shall report, in
352 accordance with the provisions of section 11-4a, to the joint standing
353 committee of the General Assembly having cognizance of matters
354 relating to education on (1) the monitoring conducted pursuant to
355 subsection (a) of this section, (2) recommendations relating to changes
356 in the reconstitution options available to schools, including whether
357 school governance councils may continue to recommend reconstitution
358 pursuant to subsection (g) of section 10-223e, (3) comparison of the
359 models adopted, and (4) the level of progress of schools adopting each
360 model in relation to the indicators described in subsection (a) of this
361 section.] On or before December 1, 2015, and biennially thereafter, the
362 department shall include in the report described in subsection (a) of
363 this section: (1) The number of school governance councils that have
364 recommended reconstitution pursuant to subsection (g) of section 10-
365 223e, as amended by this act; (2) the number of such school governance
366 councils that have initiated reconstitution pursuant to said subsection
367 (g) of section 10-223e, and the reconstitution models adopted; and (3)
368 recommendations whether to continue to allow school governance
369 councils to recommend reconstitution pursuant to said subsection (g)
370 of section 10-223e.

371 (d) On or before December 1, 2017, and biennially thereafter, the
372 department shall include in the report described in subsection (a) of
373 this section an evaluation of those schools that have reconstituted
374 pursuant to subsection (g) of section 10-223e, as amended by this act.
375 Such evaluation shall determine whether such schools have
376 demonstrated progress with regard to the following indicators: (1) The

377 reconstitution model adopted by the school; (2) the length of the school
378 day and school year; (3) the number and type of disciplinary incidents;
379 (4) the number of truants; (5) the dropout rate; (6) the student
380 attendance rate; (7) the average scale scores on the state-wide mastery
381 examination pursuant to section 10-14n; (8) for high schools, the
382 number and percentage of students completing advanced placement
383 coursework; (9) the teacher attendance rate; and (10) the existence and
384 size of the parent-teacher organization for the school.

385 Sec. 7. Subsection (a) of section 10-151b of the general statutes is
386 repealed and the following is substituted in lieu thereof (*Effective from*
387 *passage*):

388 (a) The superintendent of each local or regional board of education
389 shall continuously evaluate or cause to be evaluated each teacher, in
390 accordance with guidelines established by the State Board of
391 Education, pursuant to subsection (c) of this section, [for the
392 development of evaluation programs] and such other guidelines as
393 may be established by mutual agreement between the local or regional
394 board of education and the teachers' representative chosen pursuant to
395 section 10-153b. [, continuously evaluate or cause to be evaluated each
396 teacher.] An evaluation pursuant to this subsection shall include, but
397 need not be limited to, strengths, areas needing improvement,
398 strategies for improvement and multiple indicators of student
399 academic growth. Claims of failure to follow the established
400 procedures of such evaluation programs shall be subject to the
401 grievance procedure in collective bargaining agreements negotiated
402 subsequent to July 1, 2004. The superintendent shall report the status
403 of teacher evaluations to the local or regional board of education on or
404 before June first of each year. For purposes of this section, the term
405 "teacher" shall include each professional employee of a board of
406 education, below the rank of superintendent, who holds a certificate or
407 permit issued by the State Board of Education.

408 Sec. 8. (*Effective from passage*) (a) There is established a task force to
409 examine issues relating to the changes to the high school graduation

410 requirements pursuant to subsection (c) of section 10-221a of the
411 general statutes, as amended by this act, including, but not limited to,
412 special programming needs, requirement waivers and the appropriate
413 subject areas for courses pursuant to said subsection (c) of section 10-
414 221a.

415 (b) The task force shall consist of the following members: (1) The
416 Commissioner of Education, or the commissioner's designee, (2) one
417 representative from each of the following associations, designated by
418 the association, the Connecticut Association of Boards of Education,
419 the Connecticut Association of Public School Superintendents, the
420 Connecticut Association of Schools, Connecticut Federation of School
421 Administrators, the Connecticut Education Association and the
422 American Federation of Teachers-Connecticut, and (3) two persons
423 selected by the Commissioner of Education, including, but not limited
424 to, teachers and any other person the commissioner deems
425 appropriate.

426 (c) All appointments to the task force shall be made no later than
427 thirty days after the effective date of this section. Any vacancy shall be
428 filled by the appointing authority.

429 (d) The representative from the Connecticut Association of Public
430 School Superintendents shall serve as the chairperson of the task force.
431 Such chairperson shall schedule the first meeting of the task force,
432 which shall be held no later than sixty days after the effective date of
433 this section.

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

437 (f) Not later than January 1, 2013, the task force shall submit a report
438 on its findings and recommendations to the joint standing committee
439 of the General Assembly having cognizance of matters relating to
440 education, in accordance with the provisions of section 11-4a of the
441 general statutes. The task force shall terminate on the date that it

442 submits such report or January 1, 2013, whichever is later.

443 Sec. 9. Section 10-151b of the general statutes is repealed and the
444 following is substituted in lieu thereof (*Effective July 1, 2011*):

445 (a) The superintendent of each local or regional board of education
446 shall continuously evaluate or cause to be evaluated each teacher, in
447 accordance with guidelines established by the State Board of
448 Education, pursuant to subsection (c) of this section, [for the
449 development of evaluation programs] and such other guidelines as
450 may be established by mutual agreement between the local or regional
451 board of education and the teachers' representative chosen pursuant to
452 section 10-153b. [, continuously evaluate or cause to be evaluated each
453 teacher.] An evaluation pursuant to this subsection shall include, but
454 need not be limited to, strengths, areas needing improvement,
455 strategies for improvement and multiple indicators of student
456 academic growth. Claims of failure to follow the established
457 procedures of such evaluation programs shall be subject to the
458 grievance procedure in collective bargaining agreements negotiated
459 subsequent to July 1, 2004. The superintendent shall report the status
460 of teacher evaluations to the local or regional board of education on or
461 before June first of each year. For purposes of this section, the term
462 "teacher" shall include each professional employee of a board of
463 education, below the rank of superintendent, who holds a certificate or
464 permit issued by the State Board of Education.

465 (b) Each local and regional board of education shall develop and
466 implement teacher evaluation programs consistent with guidelines
467 established by the State Board of Education, pursuant to subsection (c)
468 of this section, and consistent with the plan developed in accordance
469 with the provisions of subsection (b) of section 10-220a.

470 (c) On or before July 1, [2013] 2012, the State Board of Education
471 shall adopt, in consultation with the Performance Evaluation Advisory
472 Council established pursuant to section 10-151d, guidelines for a
473 model teacher evaluation program. Such guidelines shall provide

474 guidance on the use of multiple indicators of student academic growth
475 in teacher evaluations. Such guidelines shall include, but not be limited
476 to: (1) Methods for assessing student academic growth; (2) a
477 consideration of control factors tracked by the state-wide public school
478 information system, pursuant to subsection (c) of section 10-10a, that
479 may influence teacher performance ratings, including, but not limited
480 to, student characteristics, student attendance and student mobility;
481 and (3) minimum requirements for teacher evaluation instruments and
482 procedures.

483 Sec. 10. Subsection (a) of section 10-151 of the general statutes is
484 repealed and the following is substituted in lieu thereof (*Effective July*
485 *1, 2011*):

486 (a) For the purposes of this section:

487 (1) [The term "board] "Board of education" [shall mean] means a
488 local or regional board of education, a cooperative arrangement
489 committee established pursuant to section 10-158a, or the board of
490 trustees of an incorporated or endowed high school or academy
491 approved pursuant to section 10-34, which is located in this state;

492 (2) [The term "teacher" shall include] "Teacher" includes each
493 certified professional employee below the rank of superintendent
494 employed by a board of education for at least ninety days in a position
495 requiring a certificate issued by the State Board of Education;

496 (3) [The term "continuous] "Continuous employment" means that
497 time during which the teacher is employed without any break in
498 employment as a teacher for the same board of education;

499 (4) [The term "full-time] "Full-time employment" means a teacher's
500 employment in a position at a salary rate of fifty per cent or more of
501 the salary rate of such teacher in such position if such position were
502 full-time;

503 (5) [The term "part-time] "Part-time employment" means a teacher's

504 employment in a position at a salary rate of less than fifty per cent of
505 the salary rate of such teacher in such position, if such position were
506 full-time;

507 (6) [The term "tenure"] "Tenure" means:

508 (A) The completion of thirty school months of full-time continuous
509 employment for the same board of education for teachers initially
510 hired prior to July 1, 1996; and forty such school months for teachers
511 initially hired on or after said date provided the superintendent offers
512 the teacher a contract to return for the following school year. For
513 purposes of calculating continuous employment towards tenure, the
514 following shall apply: (i) For a teacher who has not attained tenure,
515 two school months of part-time continuous employment by such
516 teacher shall equal one school month of full-time continuous
517 employment except, for a teacher employed in a part-time position at a
518 salary rate of less than twenty-five per cent of the salary rate of a
519 teacher in such position, if such position were full-time, three school
520 months of part-time continuous employment shall equal one school
521 month of full-time continuous employment; (ii) a teacher who has not
522 attained tenure shall not count layoff time towards tenure, except that
523 if such teacher is reemployed by the same board of education within
524 five calendar years of the layoff, such teacher may count the previous
525 continuous employment immediately prior to the layoff towards
526 tenure; [and] (iii) a teacher who has not attained tenure shall not count
527 authorized leave time towards tenure if such time exceeds ninety
528 student school days in any one school year, provided only the student
529 school days worked that year by such teacher shall count towards
530 tenure and shall be computed on the basis of eighteen student school
531 days or the greater fraction thereof equaling one school month; and
532 (iv) for a teacher who has not attained tenure and who is employed by
533 a local or regional board of education that enters into a cooperative
534 arrangement pursuant to section 10-158a, such teacher may count the
535 previous continuous employment with such board immediately prior
536 to such cooperative arrangement towards tenure.

537 (B) For a teacher who has attained tenure prior to layoff, tenure shall
538 resume if such teacher is reemployed by the same board of education
539 within five calendar years of the layoff.

540 (C) Except as provided in subparagraphs (B), [and] (D) and (E) of
541 this subdivision, any teacher who has attained tenure with any one
542 board of education and whose employment with such board ends for
543 any reason and who is reemployed by such board or is subsequently
544 employed by any other board, shall attain tenure after completion of
545 twenty school months of continuous employment. The provisions of
546 this subparagraph shall not apply if, (i) prior to completion of the
547 twentieth school month following commencement of employment by
548 such board, such teacher has been notified in writing that his or her
549 contract will not be renewed for the following school year, or (ii) for a
550 period of five or more calendar years immediately prior to such
551 subsequent employment, such teacher has not been employed by any
552 board of education.

553 (D) Any certified teacher or administrator employed by a local or
554 regional board of education for a school district identified as a priority
555 school district pursuant to section 10-266p may attain tenure after ten
556 months of employment in such priority school district, if such certified
557 teacher or administrator previously attained tenure with another local
558 or regional board of education in this state or another state.

559 (E) For a teacher who has attained tenure and is employed by a local
560 or regional board of education that enters into a cooperative
561 arrangement pursuant to section 10-158a, such teacher shall not
562 experience a break in continuous employment for purposes of tenure
563 as a result of such cooperative arrangement.

564 (7) [The term "school] "School month" means any calendar month
565 other than July or August in which a teacher is employed as a teacher
566 at least one-half of the student school days.

567 Sec. 11. Section 10-4t of the general statutes is repealed. (*Effective*
568 *from passage*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	10-221a(b) to (d)
Sec. 2	<i>from passage</i>	10-221a(j)
Sec. 3	<i>from passage</i>	10-5d
Sec. 4	<i>from passage</i>	10-5e
Sec. 5	<i>from passage</i>	10-223e(g)
Sec. 6	<i>from passage</i>	10-4s
Sec. 7	<i>from passage</i>	10-151b(a)
Sec. 8	<i>from passage</i>	New section
Sec. 9	<i>July 1, 2011</i>	10-151b
Sec. 10	<i>July 1, 2011</i>	10-151(a)
Sec. 11	<i>from passage</i>	Repealer section

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: See Below

Municipal Impact: See Below

Explanation

Section 1 and 4 delays (for two years) the effective dates for the new graduation requirements, including: additional courses, expanded reporting requirements, and end-of-course exams, will result in a significant cost savings for local and regional school districts. It is anticipated that local and regional school districts would have incurred costs, beginning in FY 13, ranging from \$14 million to \$21 million (statewide) to implement the expanded high school graduation requirements. These costs will be delayed for two years.

Additionally, the delay will result in a cost savings to the State Department of Education (SDE). It is anticipated that SDE would have incurred costs ranging from \$3.4 million to \$6 million, beginning in FY 13 to develop the model curriculum and prepare local and regional school districts for the change in curriculum. These costs will be delayed for two years.

Section 2 requires that each local and regional board of education create student success plans for each student enrolled in public school. It is anticipated that this requirement would not result in an additional cost to local and regional school districts, as public school students already have unique identifiers and student records that transfer with them if they move to a different school. It is anticipated that the State Department of Education (SDE) could incur some additional costs to modify their data system to incorporate the student success data. It is

estimated that these costs would be less than \$75,000.

Section 3 modifies the program allowing SDE to provide technical assistance to any local or regional board of education that begins implementation of various policies related to secondary school reform. This is anticipated to result in an additional cost to SDE. The cost is indeterminate as it is dependent upon the number of districts who have begun implementation and the amount of technical assistance provided by the department.

Sections 5, 6, and 10 make changes to the reporting requirements of school governance councils, and is not anticipated to result in a fiscal impact.

Section 7, which expands the types of advanced placement programs a school board can provide, is not anticipated to result in a fiscal impact.

Section 8 is technical and has no fiscal impact.

Section 9, which creates a taskforce to examine issues surrounding high school graduation requirements, is anticipated to result in a minimal cost. Agencies would incur minimal costs, estimated to be less than \$5,000, associated with mileage reimbursement of 51 cents per mile for agency staff (who seek such reimbursement) participating on the task force.

PA 11-6 contains \$250,000 in both FY 12 and FY 13 for the purposes of secondary school reform.

House "A" (1) required that each local and regional board of education create student success plans for each student enrolled in public school. It is anticipated that this requirement would result in additional costs of less than \$75,000; and (2) modified the program allowing SDE to provide technical assistance to any local or regional board of education that begins implementation of various policies related to secondary school reform, which will result in an additional

cost.

The Out Years

The bill delays various costs by two years. After two years, beginning in FY 15, the costs to local and regional school districts and to SDE will be incurred.

OLR Bill Analysis

sHB 6498 (as amended by House "A")*

**AN ACT CONCERNING IMPLEMENTATION DATES FOR
SECONDARY SCHOOL REFORM.**

SUMMARY:

This bill delays by two years the implementation of the secondary school reform requirements enacted in 2010 that:

1. increase the minimum number of credits required to graduate from high school,
2. require school districts to offer students support and alternative ways to meet the new graduation requirements, and
3. require the State Department of Education (SDE) to develop end-of-course exams in various subjects.

It also:

1. eliminates a requirement that the state provide grants to help districts implement the new graduation requirements and instead requires SDE to offer technical assistance to districts wishing to start implementing them;
2. requires districts to establish a student success plan for each student starting in grade 6;
3. revises and delays by one year the start of biennial status reports on the implementation of the new graduation requirements;
4. exempts boards of education with low-achieving schools that have only a single grade or that already have substantially

similar school governance councils from the existing requirement to establish school councils according to the existing law;

5. reorganizes and clarifies the sequence and contents of required SDE reports on the implementation and effectiveness of school governance councils;
6. establishes a task force to address implementation issues arising from enhanced high school graduation requirements;
7. moves up the deadline for the State Board of Education (SBE), in consultation with the Performance Evaluation Advisory Council (PEAC), to adopt guidelines for teacher evaluations to July 1, 2012 from July 1, 2013; and
8. for tenure purposes, requires that teachers whose employing boards enter cooperative arrangements to provide educational services retain their credited service with those boards if their employment is transferred to a committee administering the cooperative arrangement.

Finally, the bill makes technical changes.

*House Amendment "A" adds the (1) student success plans, (2) SDE technical assistance and implementation reporting, (3) exemptions from school governance council requirements, (4) deadline change for adopting teacher evaluation guidelines, and (5) tenure protection for teachers working for cooperative arrangements among districts. It eliminates (1) the state implementation grants for all districts and (2) a provision expanding the types of programs districts may establish to meet an existing requirement to offer an advanced placement program starting in the 2011-12 school year. Finally, it adds a representative of the Connecticut Association of Schools to the high school graduation issues task force and gives the education commissioner two appointees instead of an unspecified number.

EFFECTIVE DATE: Upon passage, except for the new deadline for adopting teacher evaluation guidelines and the tenure provision for teachers working for cooperative arrangements, which are effective July 1, 2011.

§ 1 — SECONDARY SCHOOL REFORM PROVISIONS DELAYED

High School Graduation Requirements

Starting with the class graduating in 2018, current law requires students to earn 25 credits in specified subjects (see BACKGROUND), pass end-of-year examinations in five subjects, and complete a senior demonstration project to graduate from high school. It requires school districts to provide adequate support and remedial services for students, starting with students in the 7th grade in the 2012-13 school year.

The bill postpones the effective dates of these requirements for two years. It requires the increased high school graduation requirements to take effect with the class of 2020 instead of the class of 2018 and requires school districts to provide support and remedial services for 7th graders starting in 2014-15 rather than 2012-13.

End-of-Course Exams

The enhanced high school graduation standards require students to pass state-developed or -approved end-of-year exams in algebra I, geometry, biology, American history, and 10th grade English. Current law requires SDE to develop or approve these exams over two years starting by July 1, 2012 and finishing by July 1, 2014. The bill delays this requirement from July 1, 2014 to July 1, 2016.

§ 2 — STUDENT SUCCESS PLANS

Instead of requiring school districts, starting in the 2012-13 school year, to collect information on students' career and academic choices every year beginning in grade six and continuing through grade 12, the bill requires districts to create a student success plan for each student, starting in grade six. The plans must include the student's career and academic choices in 6th through 12th grade.

§ 3 — TECHNICAL ASSISTANCE AND REPORTING

For FY 13 through FY 18, current law requires the SDE to provide grants, within available appropriations, to help school districts implement the new high school graduation standards and student support services. The bill instead requires SDE, within available appropriations, to provide technical assistance in FY 12 and FY 13 to boards of education that begin to implement the new standards and student support services.

In addition, instead of requiring all districts seeking grants to submit biennial status reports to SDE on secondary school reform starting by November 1, 2012, the bill requires such reports only from districts that receive the technical assistance. It delays the first report to November 1, 2013 and eliminates the requirement that a district explain in each report why it needs funds for the next biennium to implement the new standards and supports.

It also postpones the start of biennial implementation reports from SDE to the Education Committee from February 1, 2013 to February 1, 2014.

§§ 5, 6 & 10 — SCHOOL GOVERNANCE COUNCILS

By law, boards of education that have jurisdiction over schools designated as low-achieving must, and boards with jurisdiction over schools designated as “in need of improvement” may, establish a school governance council for each such school. Councils must be made up mostly of students’ parents or guardians and are empowered to, among other things, advise the principal on the school budget before it is submitted to the superintendent, interview candidates to fill principal vacancies, and vote to recommend that the school be reconstituted according to models specified in the law. SDE must monitor and report to the Education Committee on the activities and effectiveness of the councils.

Exempted Schools

The bill exempts from the statutory school governance council

requirements:

1. schools that have only one grade and
2. schools that adopt a school governance council model on or before July 1, 2011 that (a) is similar to the statutory model; (b) consists of parents, teachers from each grade level or subject area, administrators, and paraprofessionals; and (c) is being administered at the school at the time it is designated a low-achieving school.

The bill gives the similar councils the same statutory powers and responsibilities as the existing statutorily established councils.

Reports on School Governance Council Implementation and Effectiveness

The bill reorganizes the sequence and content of the required reports and specifies that they must be submitted biennially instead of once. The current and proposed report sequence is shown in Table 1.

Table 1: Reporting Requirements and Deadlines

<i>Report</i>	<i>Due Dates</i>	
	<i>Current Law (one-time)</i>	<i>The Bill (biennial starting)</i>
Number of school governance councils established (This is currently also part of a required report due January 1, 2011, which the bill repeals, see below.)	January 1, 2012	December 1, 2011
Evaluation of effectiveness of councils established before January 15, 2011	October 1, 2014	December 1, 2013
Number of councils recommending or initiating school reconstitution and the reconstitution models chosen, including a recommendation whether to continue allowing councils to recommend school reconstitutions	January 1, 2012 and January 1, 2013	December 1, 2015
Monitor and evaluate reconstituted schools according to various measures	No specified date	December 1, 2017

The bill eliminates a requirement that SDE also report on (1) a comparison of the councils that have initiated reconstitutions with those that have not and (2) whether there is increased parental involvement at schools with governance councils. Current law requires the department to start reporting by July 1, 2011, but because the law

includes two conflicting reporting schedules, it is currently unclear whether SDE must submit this report every year or every two years.

§ 9 — HIGH SCHOOL GRADUATION ISSUES TASK FORCE

The bill establishes a task force to examine issues arising from the enhanced high school graduation requirements and mandatory courses adopted in 2010. The group must address at least special programming needs, requirement waivers, and appropriate placements for courses under the required subject areas. It must report its findings and recommendations to the Education Committee by January 1, 2013. The task force terminates on that date or the date it submits its report, whichever is later.

The task force members must include the education commissioner or his or her designee; one member each designated by the:

1. Connecticut Association of Boards of Education;
2. Connecticut Association of Public School Superintendents (CAPSS);
3. Connecticut Association of Schools;
4. Connecticut Federation of School Administrators;
5. Connecticut Education Association; and
6. American Federation of Teachers-Connecticut; and
7. two appropriate people appointed by the education commissioner, including teachers.

Members must be appointed within 30 days of the bill's passage. The CAPSS' representative is the task force chairperson, who must schedule the first meeting within 60 days of the bill's passage. The Education Committee's administrative staff serves as the task force's administrative staff. Appointing authorities fill any vacancies.

§ 502 — TENURE AND TEACHERS UNDER COOPERATIVE ARRANGEMENTS

The bill recognizes teachers working under cooperative arrangements for the purpose of earning and maintaining tenure. It provides that teachers working under cooperative arrangements recognized in statute can retain their credited service toward tenure with a board of education if their service is transferred to a committee administering a cooperative arrangement and the district is part of the committee. It also allows a teacher with tenure at a district to be considered as having continuous employment for tenure purposes if the teacher becomes employed under a cooperative agreement in which the district participates.

The cooperative arrangement statute allows two or more boards of education to agree, in writing, to establish contracts to cooperatively provide school accommodation services, programs or activities, special education services, or health care services to carry out the duties required by law. This authority includes the ability to employ teachers and other staff to carry out the programs and services (CGS § 10-158a).

BACKGROUND

New High School Graduation Requirements

Table 2 shows the minimum high school graduation requirements currently scheduled to take effect for the graduating class of 2018, and delayed to the class of 2020 under this bill.

Table 2: New Graduation Requirements

<i>Subject Area</i>	<i>Required Credits</i>
<i>Humanities – 9 credits</i>	
English	4, including composition
Social Studies	3, including 1 credit in American history and a half credit in civics and American Government
Fine Arts	1
Humanities Elective	1
<i>Science, Technology, Engineering, and Mathematics – 8 credits</i>	
Mathematics	4, including algebra I, geometry, and either algebra II or probability and statistics
Science	3, including 1 in life science, 1

<i>Subject Area</i>	<i>Required Credits</i>
	in physical science
Science, Technology, Engineering, and Math Elective	1
<i>Career and Life Skills – 3.5 credits</i>	
Physical Education	1
Comprehensive health education	0.5
Career and life skills electives, such as career and technical education, English as a second language, community service, personal finance, public speaking, and nutrition and physical activity	2
<i>Other – 3 credits</i>	
World Languages	2
Senior demonstration project or its SBE-approved equivalent	1

Performance Evaluation Advisory Council

PA 10-111 created the PEAC to meet at least quarterly and help SBE develop and implement the model teacher evaluation program.

The council members are:

1. the education and higher education commissioners, or their designees;
2. one representative each from the following organizations chosen by the organization: (a) the Connecticut Association of Boards of Education, (b) the Connecticut Association of Public School Superintendents, (c) the Connecticut Federation of School Administrators, (d) the Connecticut Education Association, and (e) the American Federation of Teachers-Connecticut; and
3. an unspecified number of appropriate people selected by the education commissioner, including teachers and experts in performance evaluation processes and procedures.

COMMITTEE ACTION

Education Committee

Joint Favorable Substitute

Yea 26 Nay 6 (03/17/2011)

Appropriations Committee

Joint Favorable

Yea 50 Nay 3 (05/09/2011)