



Senate

General Assembly

File No. 110

January Session, 2011

Substitute Senate Bill No. 1025

Senate, March 21, 2011

The Committee on Education reported through SEN. STILLMAN of the 20th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING THE RECOMMENDATIONS BY THE LEGISLATIVE COMMISSIONERS FOR TECHNICAL REVISIONS TO THE EDUCATION STATUTES.

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

1 Section 1. Section 3-20f of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) Notwithstanding section 3-20, to the extent there is a sufficient
4 balance of bonds approved by the General Assembly pursuant to any
5 bond act for the purposes of agricultural land preservation programs
6 established pursuant to section 22-26cc or 22-26jj, but not allocated by
7 the State Bond Commission, said commission shall vote on whether to
8 authorize the issuance of at least five million dollars of such bonds for
9 the purposes described in said sections at each of said commission's
10 regularly scheduled meetings occurring in August and February of
11 each year. If no meeting is held in said months, said commission shall
12 vote on whether to authorize the issuance of such bonds at its next
13 regularly scheduled meeting. To the extent there is a sufficient balance

14 of bonds so approved by the General Assembly and there are pending
15 agricultural land preservation transactions in excess of five million
16 dollars, the Commissioner of Agriculture may request, and the State
17 Bond Commission shall vote on whether to authorize the issuance of,
18 bonds in excess of five million dollars. To the extent the balance of
19 bonds so approved by the General Assembly is below five million
20 dollars at the time of said commission's August or February [meetings]
21 meeting, said commission shall vote on whether to authorize the
22 issuance of the remaining balance of such bonds.

23 (b) Notwithstanding section 3-20, to the extent there is a sufficient
24 balance of bonds approved by the General Assembly pursuant to any
25 bond act for the purposes of general maintenance and trade and
26 capital equipment for any school in the regional vocational-technical
27 school system, but not allocated by the State Bond Commission, said
28 commission shall vote on whether to authorize the issuance of at least
29 two million dollars of such bonds for such maintenance and
30 equipment at each of said commission's regularly scheduled meetings
31 occurring in August and February of each year. If no meeting is held in
32 said months, said commission shall vote on whether to authorize the
33 issuance of such bonds at its next regularly scheduled meeting. To the
34 extent there is a sufficient balance of bonds so approved by the General
35 Assembly and there are pending general maintenance and trade and
36 capital equipment transactions in excess of two million dollars, the
37 superintendent of the regional vocational-technical school system may
38 request, and the State Bond Commission shall vote on whether to
39 authorize the issuance of, bonds in excess of two million dollars. To the
40 extent the balance of bonds so approved by the General Assembly is
41 below two million dollars at the time of said commission's August or
42 February [meetings] meeting, said commission shall vote on whether
43 to authorize the issuance of the remaining balance of such bonds.

44 Sec. 2. Subsection (a) of section 10-4t of the general statutes is
45 repealed and the following is substituted in lieu thereof (*Effective from*
46 *passage*):

47 (a) On or before July 1, 2011, and biennially thereafter, the
48 Department of Education shall report, within available appropriations,
49 in accordance with the provisions of section 11-4a, to the joint standing
50 committee of the General Assembly having cognizance of matters
51 relating to education on (1) the number of [such] school governance
52 councils that have initiated reconstitution pursuant to subsection (g) of
53 section 10-223, (2) a comparison of those school governance councils
54 that have initiated such reconstitution and those that have not, and (3)
55 whether parental involvement has increased at those schools with
56 school governance councils.

57 Sec. 3. Subsection (d) of section 10-66bb of the general statutes is
58 repealed and the following is substituted in lieu thereof (*Effective from*
59 *passage*):

60 (d) Applications pursuant to this section shall include a description
61 of: (1) The mission, purpose and any specialized focus of the proposed
62 charter school; (2) the interest in the community for the establishment
63 of the charter school; (3) the school governance and procedures for the
64 establishment of a governing council that (A) includes (i) teachers and
65 parents and guardians of students enrolled in the school, and (ii) the
66 chairperson of the local or regional board of education of the town in
67 which the charter school is located and which has jurisdiction over a
68 school that resembles the approximate grade configuration of the
69 charter school, or the designee of such chairperson, provided such
70 designee is a member of the board of education or the superintendent
71 of schools for the school district, and (B) is responsible for the
72 oversight of charter school operations, provided no member or
73 employee of the governing council may have a personal or financial
74 interest in the assets, real or personal, of the school; (4) the financial
75 plan for operation of the school, provided no application fees or other
76 fees for attendance, except as provided in this section, may be charged;
77 (5) the educational program, instructional methodology and services to
78 be offered to students; (6) the number and qualifications of teachers
79 and administrators to be employed in the school; (7) the organization
80 of the school in terms of the ages or grades to be taught and the total

81 estimated enrollment of the school; (8) the student admission criteria
82 and procedures to (A) ensure effective public information, (B) ensure
83 open access on a space available basis, (C) promote a diverse student
84 body, and (D) ensure that the school complies with the provisions of
85 section 10-15c and that it does not discriminate on the basis of
86 disability, athletic performance or proficiency in the English language,
87 provided the school may limit enrollment to a particular grade level or
88 specialized educational focus and, if there is not space available for all
89 students seeking enrollment, the school may give preference to siblings
90 but shall otherwise determine enrollment by a lottery; (9) a means to
91 assess student performance that includes participation in state-wide
92 mastery examinations pursuant to chapter 163c; (10) procedures for
93 teacher evaluation and professional development for teachers and
94 administrators; (11) the provision of school facilities, pupil
95 transportation and student health and welfare services; (12)
96 procedures to encourage involvement by parents and guardians of
97 enrolled students in student learning, school activities and school
98 decision-making; (13) procedures to document efforts to increase the
99 racial and ethnic diversity of staff; and (14) a five-year plan to sustain
100 the maintenance and operation of the school. Subject to the provisions
101 of subsection (b) of section 10-66dd, as amended by this act, an
102 application may include, or a charter school may file, requests to waive
103 provisions of the general statutes and regulations not required by
104 sections 10-66aa to 10-66ff, inclusive, and which are within the
105 jurisdiction of the State Board of Education.

106 Sec. 4. Subsection (b) of section 10-66dd of the general statutes is
107 repealed and the following is substituted in lieu thereof (*Effective from*
108 *passage*):

109 (b) (1) Subject to the provisions of this subsection and except as may
110 be waived pursuant to subsection (d) of section 10-66bb, as amended
111 by this act, charter schools shall be subject to all federal and state laws
112 governing public schools.

113 (2) At least one-half of the persons providing instruction or pupil

114 services in a charter school shall possess the proper certificate other
115 than (A) a certificate issued pursuant to subdivision (1) of subsection
116 (c) of section 10-145b, or (B) a temporary certificate issued pursuant to
117 subsection (c) of section 10-145f on the day the school begins operation
118 and the remaining persons shall possess a certificate issued pursuant
119 to said subdivision (1) or such temporary certificate on such day.

120 (3) The commissioner may not waive the provisions of chapters 163c
121 and 169 and sections 10-15c, 10-153a to 10-153g, inclusive, 10-153i, 10-
122 153j, 10-153m and 10-292.

123 (4) The state charter school governing council shall act as a board of
124 education for purposes of collective bargaining. The school
125 professionals employed by a local charter school shall be members of
126 the appropriate bargaining unit for the local or regional school district
127 in which the local charter school is located and shall be subject to the
128 same collective bargaining agreement as the school professionals
129 employed by [said] such district. A majority of those employed or to be
130 employed in the local charter school and a majority of the members of
131 the governing council of the local charter school may modify, in
132 writing, such collective bargaining agreement, consistent with the
133 terms and conditions of the approved charter, for purposes of
134 employment in the charter school.

135 Sec. 5. Subsection (d) of section 10-66dd of the general statutes is
136 repealed and the following is substituted in lieu thereof (*Effective from*
137 *passage*):

138 (d) (1) An otherwise qualified school professional hired by a charter
139 school prior to July 1, 2010, and employed in a charter school may
140 participate in the state [teacher] teachers' retirement system under
141 chapter 167a on the same basis as if such professional were employed
142 by a local or regional board of education. The governing council of a
143 charter school shall make the contributions, as defined in subdivision
144 (7) of section 10-183b₂ for such professional.

145 (2) An otherwise qualified school professional hired by a charter

146 school on or after July 1, 2010, and who has not previously been
147 employed by a charter school in this state prior to July 1, 2010, shall
148 participate in the state [teacher] teachers' retirement system under
149 chapter 167a on the same basis as if such professional were employed
150 by a local or regional board of education. The governing council of a
151 charter school shall make the contributions, as defined in subdivision
152 (7) of section 10-183b₂ for such professional.

153 Sec. 6. Subsection (b) of section 10-74h of the general statutes is
154 repealed and the following is substituted in lieu thereof (*Effective from*
155 *passage*):

156 (b) (1) An innovation school established under this section shall
157 operate according to an innovation plan. Such plan shall articulate the
158 areas of autonomy and flexibility in curriculum, budget, school
159 schedule and calendar, school district policies and procedures,
160 professional development, and staffing policies and procedures,
161 including waivers from or modifications to contracts or collective
162 bargaining agreements. Such innovation plan shall be developed by
163 the faculty and district leadership or an external partner by means of
164 an innovation plan committee. Membership of the innovation plan
165 committee developed by (A) faculty and district leadership shall
166 consist of at least nine members, but not more than eleven members, (i)
167 five of whom shall be selected by the local or regional board of
168 education and shall include (I) the superintendent of schools for the
169 school district, or his or her designee; (II) a member of the local or
170 regional board of education, or his or her designee; (III) two parents
171 who have one or more children enrolled in the school, or, in the case of
172 a new school, parents from the district; and (IV) the principal of the
173 school, or, in the case of a new school and where a principal has not
174 yet been hired, a principal from the school district in which the new
175 school is located, (ii) two of whom shall be certified teachers of the
176 school appointed by the exclusive bargaining representative of the
177 teachers' unit chosen pursuant to section 10-153b, or, in the case of a
178 new school and where no certified teachers have yet been hired, two
179 certified teachers appointed by the exclusive bargaining representative

180 of the teachers' unit chosen pursuant to section 10-153b, and (iii) not
181 more than four of whom the local or regional board of education
182 deems appropriate; (B) an external partner shall consist of at least nine
183 members, but not more than eleven members, (i) seven of whom shall
184 be selected by the local or regional board of education and shall
185 include (I) the superintendent of schools for the school district, or his
186 or her designee; (II) a member of the local or regional board of
187 education, or his or her designee; (III) two parents who have one or
188 more children enrolled in the school, or, in the case of a new school,
189 parents from the district; (IV) the principal of the school, or, in the case
190 of a new school and where a principal has not yet been hired, a
191 principal from the school district in which the new school is located;
192 and (V) two of whom shall represent the external partner, (ii) two of
193 whom shall be certified teachers of the school appointed by the
194 exclusive bargaining representative of the teachers' unit chosen
195 pursuant to section 10-153b, or, in the case of a new school and where
196 no certified teachers have yet been hired, two certified teachers
197 appointed by the exclusive bargaining representative of the teachers'
198 unit chosen pursuant to section 10-153b, and (iii) not more than two of
199 whom the local or regional board of education deems appropriate. A
200 majority vote of the innovation plan committee shall be required for
201 approval and implementation of the innovation plan.

202 (2) The innovation plan shall include, but not be limited to: (A) A
203 curriculum plan that includes a detailed description of the curriculum
204 and related programs for the proposed school and how the curriculum
205 is expected to improve school performance and student achievement;
206 (B) a budget plan [.] that includes a detailed description of how funds
207 shall be used in the proposed school to support school performance
208 and student achievement that is or may be different than how funds
209 are used in other public schools in the district; (C) a school schedule
210 plan that includes a detailed description of the ways the program or
211 calendar of the proposed school may be enhanced or expanded; (D) a
212 staffing plan, including any proposed waivers or modifications of
213 collective bargaining agreements, subject to agreement with the
214 exclusive bargaining representative for the certified employees

215 employed at the school, chosen pursuant to section 10-153b and in
216 accordance with the provisions of subsection (c) of this section; (E) a
217 policies and procedures plan that includes a detailed description of the
218 unique operational policies and procedures to be used by the proposed
219 school and how the procedures will support school performance and
220 student achievement; and (F) a professional development plan that
221 includes a detailed description of how the school may provide
222 professional development to its administrators, teachers and other
223 staff.

224 (3) In order to assess the proposed school across multiple measures
225 of school performance and student success, the innovation plan shall
226 include measurable annual goals, including, but not limited to, goals
227 relating to the following: (A) Student attendance; (B) student safety
228 and discipline; (C) student promotion and graduation and dropout
229 rates; (D) student performance on the state-wide mastery examination,
230 pursuant to section 10-14n; (E) progress in areas of academic
231 underperformance; (F) progress among subgroups of students,
232 including low-income students, limited English-proficient students
233 and students receiving special education; and (G) reduction of
234 achievement gaps among different groups of students.

235 Sec. 7. Subsection (b) of section 10-95o of the general statutes is
236 repealed and the following is substituted in lieu thereof (*Effective from*
237 *passage*):

238 (b) The State Board of Education shall develop a comprehensive
239 plan regarding the closure or suspension of [operation] operations of
240 any regional vocational-technical school prior to the public hearing
241 described in subsection (a) of this section. Such comprehensive plan
242 shall include, but not be limited to, (1) an explanation of the reasons
243 for the school closure or suspension of operations, including a cost-
244 benefit analysis of such school closing or suspension of operations, (2)
245 the length of the school closure or suspension of operations, (3) the
246 financial plan for the school during the closure or suspension of
247 operations, including, but not limited to, the costs of such school

248 closure or suspension of operations, (4) a description of the transitional
249 phase to school closure or suspension of operations and a description
250 of the transitional phase to reopening the school, (5) an explanation of
251 what will happen to students currently enrolled at such school during
252 the school closure or suspension of operations, including, but not
253 limited to, available regional vocational-technical schools for such
254 students to attend and transportation for such students to such
255 schools, (6) an explanation of what will happen to school personnel
256 during the school closure or suspension of operations, including, but
257 not limited to, employment at other schools, and (7) an explanation of
258 how the school building and property will be used during the school
259 closure or suspension of operations. The State Board of Education shall
260 provide for the mailing of such comprehensive plan to parents and
261 guardians of students enrolled at the school and to school personnel
262 employed at such school, and make such comprehensive plan
263 available on the school's web site at least fourteen days prior to the
264 public hearing described in subsection (a) of this section.

265 Sec. 8. Subsection (a) of section 10-151 of the general statutes is
266 repealed and the following is substituted in lieu thereof (*Effective from*
267 *passage*):

268 (a) For the purposes of this section:

269 (1) [The term "board] "Board of education" [shall mean] means a
270 local or regional board of education or the board of trustees of an
271 incorporated or endowed high school or academy approved pursuant
272 to section 10-34, which is located in this state;

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

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

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

284 (5) [The term "part-time] "Part-time employment" means a teacher's
285 employment in a position at a salary rate of less than fifty per cent of
286 the salary rate of such teacher in such position, if such position were
287 full-time;

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

289 (A) The completion of thirty school months of full-time continuous
290 employment for the same board of education for teachers initially
291 hired prior to July 1, 1996; and forty such school months for teachers
292 initially hired on or after said date provided the superintendent offers
293 the teacher a contract to return for the following school year. For
294 purposes of calculating continuous employment towards tenure, the
295 following shall apply: (i) For a teacher who has not attained tenure,
296 two school months of part-time continuous employment by such
297 teacher shall equal one school month of full-time continuous
298 employment except, for a teacher employed in a part-time position at a
299 salary rate of less than twenty-five per cent of the salary rate of a
300 teacher in such position, if such position were full-time, three school
301 months of part-time continuous employment shall equal one school
302 month of full-time continuous employment; (ii) a teacher who has not
303 attained tenure shall not count layoff time towards tenure, except that
304 if such teacher is reemployed by the same board of education within
305 five calendar years of the layoff, such teacher may count the previous
306 continuous employment immediately prior to the layoff towards
307 tenure; and (iii) a teacher who has not attained tenure shall not count
308 authorized leave time towards tenure if such time exceeds ninety
309 student school days in any one school year, provided only the student
310 school days worked that year by such teacher shall count towards
311 tenure and shall be computed on the basis of eighteen student school
312 days or the greater fraction thereof equaling one school month.

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

316 (C) Except as provided in subparagraphs (B) and (D) of this
317 subdivision, any teacher who has attained tenure with any one board
318 of education and whose employment with such board ends for any
319 reason and who is reemployed by such board or is subsequently
320 employed by any other board, shall attain tenure after completion of
321 twenty school months of continuous employment. The provisions of
322 this subparagraph shall not apply if, (i) prior to completion of the
323 twentieth school month following commencement of employment by
324 such board [,] such teacher has been notified in writing that his or her
325 contract will not be renewed for the following school year, or (ii) for a
326 period of five or more calendar years immediately prior to such
327 subsequent employment, such teacher has not been employed by any
328 board of education.

329 (D) Any certified teacher or administrator employed by a local or
330 regional board of education for a school district identified as a priority
331 school district pursuant to section 10-266p may attain tenure after ten
332 months of employment in such priority school district, if such certified
333 teacher or administrator previously attained tenure with another local
334 or regional board of education in this state or another state.

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

338 Sec. 9. Subsection (f) of section 10-262i of the general statutes is
339 repealed and the following is substituted in lieu thereof (*Effective from*
340 *passage*):

341 (f) (1) Except as provided for in subdivisions (2), (3) and (4) of this
342 subsection, the percentage of the increase in aid pursuant to this
343 section applicable under subsection (e) of this section shall be the
344 average of the results of (A) (i) a town's current program expenditures

345 per resident student pursuant to subdivision (36) of section 10-262f,
346 subtracted from the highest current program expenditures per resident
347 student in this state, (ii) divided by the difference between the highest
348 current program expenditures per resident student in this state and the
349 lowest current program expenditures per resident student in this state,
350 (iii) multiplied by thirty per cent, (iv) plus fifty percentage points, (B)
351 (i) a town's wealth pursuant to subdivision (26) of section 10-262f,
352 subtracted from the wealth of the town with the highest wealth of all
353 towns in this state, (ii) divided by the difference between the wealth of
354 the town with the highest wealth of all towns in this state and the
355 wealth of the town with the lowest wealth of all towns in this state, (iii)
356 multiplied by thirty per cent, (iv) plus fifty percentage points, and (C)
357 (i) a town's grant mastery percentage pursuant to subdivision (12) of
358 section 10-262f, subtracted from one, subtracted from one minus the
359 grant mastery percentage of the town with the highest grant mastery
360 percentage in this state, (ii) divided by the difference between one
361 minus the grant mastery percentage of the town with the highest grant
362 mastery percentage in this state and one minus the grant mastery
363 percentage of the town with the lowest grant mastery percentage in
364 this state, (iii) multiplied by thirty per cent, (iv) plus fifty percentage
365 points.

366 (2) For the fiscal year ending June 30, 2009, any town whose school
367 district is in its third year or more of being identified as in need of
368 improvement pursuant to section 10-223e, and has failed to make
369 adequate yearly progress in mathematics or reading at the whole
370 district level, the percentage determined pursuant to subdivision (1) of
371 this subsection for such town shall be increased by an additional
372 twenty percentage points.

373 (3) For the fiscal year ending June 30, 2010, any town whose school
374 district is in its third year or more of being identified as in need of
375 improvement pursuant to section 10-223e, and has failed to make
376 adequate yearly progress in mathematics or reading at the whole
377 district level, the percentage of the increase in aid pursuant to this
378 section applicable under subsection (e) of this section shall be the

379 percentage of the increase determined under subdivision (1) of this
380 [section] subsection for such town, plus twenty percentage points, or
381 eighty per cent, whichever is greater.

382 (4) Notwithstanding the provisions of this section, for the fiscal year
383 ending June 30, 2008, and each fiscal year thereafter, any town that (A)
384 is a member of a regional school district that serves only grades seven
385 to twelve, inclusive, or grades nine to twelve, inclusive, (B)
386 appropriates at least the minimum percentage of increase in aid
387 pursuant to the provisions of this section, and (C) has a reduced
388 assessment from the previous fiscal year for students enrolled in such
389 regional school district, excluding debt service for such students, shall
390 be considered to be in compliance with the provisions of this section.

391 (5) Notwithstanding any provision of the general statutes, charter,
392 special act or home rule ordinance, on or before September 15, 2007,
393 for the fiscal year ending June 30, 2008, a town may request the
394 Commissioner of Education to defer a portion of the town's increase in
395 aid over the prior fiscal year pursuant to this section to be expended in
396 the subsequent fiscal year. If the commissioner approves such request,
397 the deferred amount shall be credited to the increase in aid for the
398 fiscal year ending June 30, 2009, rather than the fiscal year ending June
399 30, 2008. Such funds shall be expended in the fiscal year ending June
400 30, 2009, in accordance with the provisions of this section. In no case
401 shall a town be allowed to defer increases in aid required to be spent
402 for education as a result of failure to make adequate yearly progress in
403 accordance with the provisions of subdivisions (2) and (3) of this
404 subsection.

405 Sec. 10. Subdivision (4) of subsection (a) of section 10-264i of the
406 general statutes is repealed and the following is substituted in lieu
407 thereof (*Effective from passage*):

408 (4) For the fiscal years ending June 30, 2009, and June 30, 2010, in
409 addition to the grants otherwise provided pursuant to this section, the
410 Commissioner of Education may provide supplemental transportation
411 grants to regional educational service centers for the purposes of

412 transportation to interdistrict magnet schools. Any such grant shall be
413 provided within available appropriations and after the commissioner
414 has reviewed and approved the total interdistrict magnet school
415 transportation budget for a regional [education] educational service
416 center, including all revenue and expenditure estimates. For the fiscal
417 year ending June 30, 2010, in addition to the grants otherwise provided
418 pursuant to this section, the Commissioner of Education, with the
419 approval of the Secretary of the Office of Policy and Management, may
420 provide supplemental transportation grants to the Hartford school
421 district and the Capitol Region Education Council for the purposes of
422 transportation of students who are not residents of Hartford to
423 interdistrict magnet schools operated by the Capitol Region Education
424 Council or the Hartford school district.

425 Sec. 11. Subsection (a) of section 10-145p of the general statutes is
426 repealed and the following is substituted in lieu thereof (*Effective from*
427 *passage*):

428 (a) The Department of Education shall review and approve
429 proposals for alternate route to certification programs for school
430 administrators. In order to be approved, a proposal shall provide that
431 the alternative route to certification program (1) be provided by a
432 public or independent institution of higher education, a local or
433 regional board of education, a regional educational service center or a
434 private, nonprofit teacher or administrator training organization
435 approved by the State Board of Education; (2) accept only those
436 participants who (A) hold a bachelor's degree from an institution of
437 higher education accredited by the Board of Governors of Higher
438 Education or regionally accredited, (B) have at least forty school
439 months teaching experience, of which at least ten school months are in
440 a position requiring certification at a public school, in this state or
441 another state, and (C) are recommended by the immediate supervisor
442 or district administrator of such person on the basis of such person's
443 performance; (3) require each participant to (A) complete a one-year
444 residency that requires such person to serve (i) in a position requiring
445 an intermediate administrator or supervisor endorsement, and (ii) in a

446 full-time position for ten school months at a local or regional board of
447 education in the state under the supervision of (I) a certified
448 administrator, and (II) a supervisor from an institution or organization
449 described in subdivision (1) of this subsection, or (B) have ten school
450 months experience in a full-time position as an administrator in a
451 public or nonpublic school in another state that is approved by the
452 appropriate state board of education in such other state; and (4) meet
453 such other criteria as the [departments require] department requires.

454 Sec. 12. Subsection (a) of section 10-151d of the general statutes is
455 repealed and the following is substituted in lieu thereof (*Effective from*
456 *passage*):

457 (a) There is established a Performance Evaluation Advisory Council
458 within the Department of Education. Membership of the council shall
459 consist of: (1) The Commissioners of Education and Higher Education,
460 or their designees, (2) one representative from each of the following
461 associations, designated by the association, the Connecticut
462 Association of Boards of Education, the Connecticut Association of
463 Public School Superintendents, the Connecticut Federation of School
464 Administrators, the Connecticut Education Association and the
465 American Federation of Teachers-Connecticut, and (3) persons selected
466 by the Commissioner of Education who shall include, but not be
467 limited to, teachers, persons with expertise in performance evaluation
468 processes and systems, and any other person the commissioner deems
469 appropriate.

470 Sec. 13. Subsection (a) of section 10-157 of the general statutes is
471 repealed and the following is substituted in lieu thereof (*Effective from*
472 *passage*):

473 (a) Any local or regional board of education shall provide for the
474 supervision of the schools under its control by a superintendent who
475 shall serve as the chief executive officer of the board. The
476 superintendent shall have executive authority over the school system
477 and the responsibility for its supervision. Employment of a
478 superintendent shall be by election of the board of education. Except as

479 provided in subsection (b) of this section, no person shall assume the
480 duties and responsibilities of the superintendent until the board
481 receives written confirmation from the Commissioner of Education
482 that the person to be employed is properly certified or has had such
483 certification waived by the commissioner pursuant to subsection (c) of
484 this section. The commissioner shall inform any such board, in writing,
485 of the proper certification, waiver of certification or lack of certification
486 or waiver of any such person not later than fourteen days after the
487 name of such person is submitted to the commissioner pursuant to
488 section 10-226. A majority vote of all members of the board shall be
489 necessary to an election, and the board shall fix the salary of the
490 superintendent and the term of office, which shall not exceed three
491 years. Upon election and notification of employment or reemployment,
492 the superintendent may request and the board shall provide a written
493 contract of employment which includes, but is not [be] limited to, the
494 salary, employment benefits and term of office of such superintendent.
495 Such superintendent shall, at least three weeks before the annual town
496 or regional school district meeting, submit to the board a full written
497 report of the proceedings of such board and of the condition of the
498 several schools during the school year preceding, with plans and
499 suggestions for their improvement. The board of education shall
500 evaluate the performance of the superintendent annually in
501 accordance with guidelines and criteria mutually determined and
502 agreed to by such board and such superintendent.

503 Sec. 14. Subsection (j) of section 10-221a of the general statutes is
504 repealed and the following is substituted in lieu thereof (*Effective from*
505 *passage*):

506 (j) For the school year commencing July 1, 2012, and each school
507 year thereafter, a local or regional board of education shall collect
508 information for each student enrolled in a public school, beginning in
509 grade six, that records [students'] the student's career and academic
510 choices in grades six to twelve, inclusive.

511 Sec. 15. Section 10-223g of the general statutes is repealed and the

512 following is substituted in lieu thereof (*Effective from passage*):

513 A local or regional board of education for a school district with a
514 dropout rate of eight per cent or greater in the previous school year []
515 shall establish an on-line credit recovery program. Such program shall
516 allow those students who are identified by certified personnel as in
517 danger of failing to graduate to complete on-line coursework approved
518 by the local or regional board of education for credit toward meeting
519 the high school graduation requirement pursuant to section 10-221a, as
520 amended by this act. Each school in the school district shall designate,
521 from among existing staff, an on-line learning coordinator who shall
522 administer and coordinate the on-line credit recovery program
523 pursuant to this section.

524 Sec. 16. Section 11-33 of the general statutes is repealed and the
525 following is substituted in lieu thereof (*Effective from passage*):

526 When the legislative body of any municipality has decided to
527 establish a public library and reading room, the chief elected official of
528 such municipality shall, with the approval of the legislative body,
529 appoint a board of nine trustees. Not more than one member of the
530 legislative body shall be a member of [said] such board. The trustees
531 shall, immediately after their appointment, meet and organize by the
532 election of one of their number as president and by the election of such
533 other officers as they deem necessary. They shall make and adopt
534 bylaws, rules and regulations for the government of the library and
535 reading room and shall have exclusive control of the expenditure of all
536 moneys collected to the credit of the library fund, and of the
537 construction of any library building, and of the supervision, care and
538 custody of the grounds, rooms or buildings constructed, leased, given
539 or set apart for that purpose; provided all moneys collected and
540 received for such purpose shall be placed in the treasury of such
541 municipality, to the credit of its library fund, and shall be kept separate
542 from other moneys of the municipality and shall be drawn upon by the
543 proper officers of the municipality, upon duly authenticated vouchers
544 of the trustees. Such board may purchase, lease or accept grounds, and

545 erect, lease or occupy an appropriate building or buildings, for the use
546 of such library, appoint a library director and all necessary assistants
547 and fix their compensation. Any person desiring to make a gift for the
548 benefit of such library may vest the title to such donation in the board
549 of trustees to be held and controlled according to the terms of the gift
550 of such property; and such board shall be special trustee thereof.

551 Sec. 17. Section 11-36 of the general statutes is repealed and the
552 following is substituted in lieu thereof (*Effective from passage*):

553 When fifty electors of any municipality present a petition to the
554 clerk of such municipality, asking that an annual tax be levied for the
555 establishment or operation of a free public library and reading room in
556 such municipality, and specify in their petition a rate of taxation, not to
557 exceed three mills on the dollar, such clerk shall, in the next legal
558 notice of the regular municipal election in such municipality, give
559 notice that at such election the question of an annual tax for the
560 establishment or operation of a library is to be voted upon in the
561 manner prescribed in section 9-369. The designation of such question
562 on the voting machine ballot label shall be "Shall a mill tax be levied
563 to establish a free public library and reading room?" or "Shall a mill
564 tax be levied to operate a free public library and reading room?". Such
565 notice and such designation of the question on the voting machine
566 ballot label shall specify the rate of taxation mentioned in such
567 petition. If, upon the official determination of the result of such vote, it
568 appears that a majority of all the votes upon such question are in
569 approval of such question, the tax specified in such notice shall be
570 levied and collected in the same manner as other general taxes of such
571 municipality and shall be known as the "library fund". All moneys
572 collected and received by the levy of such tax shall be placed in the
573 treasury of such municipality, to the credit of its library fund, and shall
574 be kept separate from other moneys of the municipality and shall be
575 drawn upon by the proper officers of the municipality, upon duly
576 authenticated vouchers of the library's trustees. Such tax may
577 afterwards be lessened or increased within the three-mill limit, or
578 made to cease, in case the electors of any such municipality so

579 determine by a majority vote at any regular municipal election held
 580 therein, in the manner hereinbefore prescribed for voting upon such
 581 question. When a free public library and reading room is established
 582 pursuant to this section, the corporate authorities of such municipality
 583 may exercise the same powers relative to such free public library and
 584 reading room as are conferred upon the corporate authorities of
 585 municipalities pursuant to section 11-33, as amended by this act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	3-20f
Sec. 2	<i>from passage</i>	10-4t(a)
Sec. 3	<i>from passage</i>	10-66bb(d)
Sec. 4	<i>from passage</i>	10-66dd(b)
Sec. 5	<i>from passage</i>	10-66dd(d)
Sec. 6	<i>from passage</i>	10-74h(b)
Sec. 7	<i>from passage</i>	10-95o(b)
Sec. 8	<i>from passage</i>	10-151(a)
Sec. 9	<i>from passage</i>	10-262i(f)
Sec. 10	<i>from passage</i>	10-264i(a)(4)
Sec. 11	<i>from passage</i>	10-145p(a)
Sec. 12	<i>from passage</i>	10-151d(a)
Sec. 13	<i>from passage</i>	10-157(a)
Sec. 14	<i>from passage</i>	10-221a(j)
Sec. 15	<i>from passage</i>	10-223g
Sec. 16	<i>from passage</i>	11-33
Sec. 17	<i>from passage</i>	11-36

Statement of Legislative Commissioners:

A conforming technical change was made in section 8 (a)(7).

ED *Joint Favorable Subst.-LCO*

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: None

Municipal Impact: None

Explanation

The bill makes various technical and grammatical changes to the education statutes, and is not anticipated to result in a fiscal impact.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis

SB 1025

AN ACT CONCERNING THE RECOMMENDATIONS BY THE LEGISLATIVE COMMISSIONERS FOR TECHNICAL REVISIONS TO THE EDUCATION STATUTES.

SUMMARY:

This bill makes technical and grammatical changes to education statutes.

EFFECTIVE DATE: Upon passage

COMMITTEE ACTION

Education Committee

Joint Favorable

Yea 30 Nay 0 (03/02/2011)