



General Assembly

Amendment

January Session, 2011

LCO No. 6654

SB0110406654SD0

Offered by:

SEN. STILLMAN, 20th Dist.
REP. FLEISCHMANN, 18th Dist.
SEN. BOUCHER, 26th Dist.
REP. GIULIANO, 23rd Dist.

To: Subst. Senate Bill No. 1104

File No. 508

Cal. No. 294

"AN ACT CONCERNING CHARTER SCHOOLS."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 10-66dd of the general statutes is repealed and
4 the following is substituted in lieu thereof (*Effective July 1, 2011*):

5 (a) For purposes of this section, "school professional" means any
6 school teacher, administrator or other personnel certified by the State
7 Board of Education pursuant to section 10-145b.

8 (b) (1) Subject to the provisions of this subsection and except as may
9 be waived pursuant to subsection (d) of section 10-66bb, charter
10 schools shall be subject to all federal and state laws governing public
11 schools.

12 (2) [At] Subject to the provisions of subdivision (5) of this

13 subsection, at least one-half of the persons providing instruction or
14 pupil services in a charter school shall possess the proper certificate
15 other than (A) a certificate issued pursuant to subdivision (1) of
16 subsection (c) of section 10-145b, or (B) a temporary certificate issued
17 pursuant to subsection (c) of section 10-145f on the day the school
18 begins operation and the remaining persons shall possess a certificate
19 issued pursuant to said subdivision (1) or such temporary certificate
20 on such day.

21 (3) The commissioner may not waive the provisions of chapters 163c
22 and 169 and sections 10-15c, 10-153a to 10-153g, inclusive, 10-153i, 10-
23 153j, 10-153m and 10-292.

24 (4) The state charter school governing council shall act as a board of
25 education for purposes of collective bargaining. The school
26 professionals employed by a local charter school shall be members of
27 the appropriate bargaining unit for the local or regional school district
28 in which the local charter school is located and shall be subject to the
29 same collective bargaining agreement as the school professionals
30 employed by said district. A majority of those employed or to be
31 employed in the local charter school and a majority of the members of
32 the governing council of the local charter school may modify, in
33 writing, such collective bargaining agreement, consistent with the
34 terms and conditions of the approved charter, for purposes of
35 employment in the charter school.

36 (5) For the school year commencing July 1, 2011, and each school
37 year thereafter, the Commissioner of Education may waive the
38 requirements of subdivision (2) of this subsection for any
39 administrator or person providing instruction or pupil services in a
40 charter school who does not hold the initial educator, provisional
41 educator or professional educator certificate if such person (A)
42 achieves satisfactory scores on the state reading, writing and
43 mathematics competency examination prescribed by and administered
44 under the direction of the State Board of Education, or qualifies for a
45 waiver of such test based on criteria approved by the State Board of

46 Education, (B) achieves a satisfactory evaluation on the appropriate
47 State Board of Education approved subject area assessment, and (C)
48 demonstrates evidence of effectiveness. The commissioner may reissue
49 such waiver upon the renewal of the charter for the school at which
50 such person is employed. Not more than thirty per cent of the total
51 number of administrators and persons providing instruction or pupil
52 services in a charter school may hold a waiver issued by the
53 commissioner pursuant to this subdivision for the school year.

54 (c) School professionals employed by a local or regional board of
55 education shall be entitled to a two-year leave of absence, without
56 compensation, in order to be employed in a charter school provided
57 such leave shall be extended upon request for an additional two years.
58 At any time during or upon the completion of such a leave of absence,
59 a school professional may return to work in the school district in the
60 position in which he was previously employed or a comparable
61 position. Such leave of absence shall not be deemed to be an
62 interruption of service for purposes of seniority and teachers'
63 retirement, except that time may not be accrued for purposes of
64 attaining tenure. A school professional who is not on such a leave of
65 absence and is employed for forty school months of full-time
66 continuous employment by the charter school and is subsequently
67 employed by a local or regional board of education shall attain tenure
68 after the completion of twenty school months of full-time continuous
69 employment by such board of education in accordance with section 10-
70 151.

71 (d) (1) An otherwise qualified school professional hired by a charter
72 school prior to July 1, 2010, and employed in a charter school may
73 participate in the state teacher retirement system under chapter 167a
74 on the same basis as if such professional were employed by a local or
75 regional board of education. The governing council of a charter school
76 shall make the contributions, as defined in subdivision (7) of section
77 10-183b for such professional.

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

79 school on or after July 1, 2010, and who has not previously been
 80 employed by a charter school in this state prior to July 1, 2010, shall
 81 participate in the state teacher retirement system under chapter 167a
 82 on the same basis as if such professional were employed by a local or
 83 regional board of education. The governing council of a charter school
 84 shall make the contributions, as defined in subdivision (7) of section
 85 10-183b for such professional.

86 (3) Any administrator or person providing instruction or pupil
 87 services in a charter school who holds a waiver by the Commissioner
 88 of Education pursuant to subdivision (5) of subsection (b) of this
 89 section shall participate in the state teacher retirement system under
 90 chapter 167a pursuant to subdivision (2) of this section when such
 91 administrator or person providing instruction or pupil services obtains
 92 professional certification under chapter 166."

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2011	10-66dd