

OLR Bill Analysis

SB 458

Emergency Certification

AN ACT CONCERNING EDUCATIONAL REFORM.

SUMMARY:

This bill makes numerous revisions and changes in education statutes and programs affecting:

1. early childhood education;
2. school and school district operations and funding;
3. teacher and school administrator qualifications, performance evaluation, tenure, and termination;
4. the duties and responsibilities of the State Department of Education (SDE) and State Board of Education; and
5. the governance and operation of the Connecticut Technical High School System.

A section-by-section analysis appears below.

EFFECTIVE DATE: July 1, 2012, unless otherwise noted.

§ 1—NEW SCHOOL READINESS PROGRAM SPACES

For FY 13, the bill requires the SDE to provide funds to appropriate school districts to create the following new school readiness program spaces in those districts:

1. 500 in the 10 districts with the lowest district performance indices (“educational reform districts” - see § 34),
2. 250 in priority and former priority districts other than

educational reform districts, and

3. 250 in school districts receiving competitive funding under the SDE's school readiness program ("competitive districts").

A "competitive school district" is one that (1) has a priority school or former priority school (i.e., a school where at least 40% of the school lunches served are free or reduced-price) or (2) is not a priority school district but whose town is one of the 50 poorest in the state when considering adjusted equalized grand net list, student population, and population.

EFFECTIVE DATE: Upon passage

§ 2—EARLY CHILDHOOD EDUCATION FACILITY STUDY

The bill allocates any unspent funds appropriated for 1,000 new school readiness spaces required in § 1 up to \$80,000 to the Connecticut Health and Educational Facilities Authority (CHEFA) to update its 2008 study of the space and facilities needed to provide universal early childhood education for all three- and four-year-olds in the state. If CHEFA receives funding for the updated study, it must submit the updated study and any recommendations to the Education Committee by April 1, 2013.

EFFECTIVE DATE: Upon passage

§ 3—EARLY CHILDHOOD QUALITY RATING AND IMPROVEMENT SYSTEM

By law, the state is planning to create a coordinated system of early care and education and child development by July 1, 2013. PA 11-181 required progress toward creating this system under a planning director in the Office of Policy and Management (OPM) appointed by the governor. The bill makes SDE, rather than the early childhood system, responsible for developing a quality rating and improvement system for home-, center-, and school-based early child care and learning. It requires the early childhood system to incorporate SDE's rating system.

§ 4—EARLY LITERACY PILOT EXTENSION

Under PA 11-85, the education commissioner is authorized to (1) conduct a pilot study to promote best practices in early literacy and closing academic achievement gaps and (2) identify schools to participate in the study. The bill extends the pilot from the school year starting July 1, 2012 to the school year starting July 1, 2013.

It also extends the deadline for the commissioner to report on the pilot to the Education Committee from October 1, 2013 to October 1, 2014.

By law and unchanged by the bill, “achievement gaps” mean a significant disparity in the academic performance of students among and between (1) racial groups, (2) ethnic groups, (3) socioeconomic groups, (4) genders, and (5) English language learners and students whose primary language is English.

§ 5—NEW STATEWIDE READING ASSESSMENTS

The bill requires SDE, by January 1, 2013, to develop or approve reading assessments that districts must use to identify kindergarten through third grade students who are reading deficient.

The bill requires the assessments to:

1. include frequent student screening and progress monitoring;
2. measure phonics, phonemic awareness, fluency, vocabulary, and comprehension;
3. allow for periodic formative assessment during the school year;
4. produce data that is useful for developing individual and classroom instruction; and
5. be compatible with best practices in reading instruction and research.

By February 1, 2013, the commissioner must submit the reading assessment to the Education Committee.

§ 6—TEACHER READING EXAM

Beginning July 1, 2014, and each following school year, the bill requires all certified employees (i.e., teachers and administrators) working in kindergarten through third grade to take a practice version of an SBE-approved reading instruction exam. Each local and regional board of education shall annually report the results of such practice examination to SDE.

§ 7—PROFESSIONAL DEVELOPMENT IN READING

By July 1, 2013, the bill requires the education commissioner to establish a professional development program in reading instruction for teachers.

The program must:

1. count towards professional development requirements established under the bill (§ 38),
2. be based on student reading assessment data,
3. provide differentiated and intensified training in teacher reading instruction,
4. be used to identify mentor teachers who will train teachers in reading instruction,
5. outline how model classrooms will be established in schools for reading instruction, and
6. inform principals on how to evaluate classrooms and teacher performance in scientifically-based reading research and instruction, and
7. be job-embedded and local whenever possible.

The bill also requires the education commissioner to annually review the professional development required under the bill for teachers holding professional certificates with early childhood nursery through third grade or elementary school endorsements and holding

jobs requiring such endorsements. The commissioner must assess whether the professional development meets state goals for student academic achievement through implementation of (1) the State Board of Education (SBE)-adopted common core standards, (2) research based interventions, and (3) the federal special education law (IDEA, 20 U.S.C. § 1400 et seq.). He must submit his review to the Education Committee.

§ 8—FAMILY RESOURCE CENTERS AND SCHOOL-BASED HEALTH CLINICS

For the 2012-13 school year, the bill requires the education commissioner to establish (1) at least 10 new family resource centers and (2) at least 20 new or expanded school-based health clinics in alliance districts (the 30 lowest-performing districts).

By law, family resource centers are located in elementary schools and provide services including (1) child care and school readiness for children age three and older who are not otherwise enrolled in school and (2) various services to parents of newborns, including parenting skills and educational services to parents who are interested in obtaining a high school diploma or general education diploma (GED).

§ 9—PHYSICAL EXERCISE REQUIREMENT FOR GRADES K-5

The bill requires public schools to include a total of 20 minutes of physical exercise in each regular school day for students in kindergarten through grade five. Under current law, each public school that enrolls K-5 students must provide them with a physical exercise period of unspecified length as part of the regular school day.

§ 10—MUNICIPAL AID FOR NEW TEACHERS PROGRAM

Starting with FY 14, the bill requires SDE, to establish a Municipal Aid for New Teachers (MANE) program, within available appropriations, to provide grants of up to \$200,000 to each of the 10 educational reform districts by March 1, annually (presumably beginning March 1, 2014). The districts must use the MANE grants to hire five seniors per year who are graduating in the top 10% of their classes from teacher preparation programs at Connecticut colleges and

universities.

§ 11—SCHOOL DISTRICT COST-SAVING GRANTS

The bill allows the education commissioner, within available appropriations, to provide grants to support school districts in developing plans to implement significant cost savings while maintaining or improving educational quality. The grants must be for technical assistance and regional cooperation.

§ 12—OPEN CHOICE PROGRAM INCENTIVE FOR LARGER DISTRICTS

The bill provides an additional incentive for larger school districts to increase their enrollment of out-of-district students under the Open Choice interdistrict public school attendance program. It does so by giving districts with more than 4,000 students the highest state Open Choice grant (\$6,000 for each out-of-district student) if the education commissioner determines they have increased their Open Choice enrollment by at least 50% on October 1, 2012. Under current law, receiving districts qualify for the \$6,000-per-student grant only if the number of out-of-district students they enroll equals or exceeds 3% of their total enrollment.

§ 13—EXEMPLARY SCHOOLS

The bill allows SDE to publicly recognize exemplary schools and promote their best practices.

§ 14—DISSEMINATING INFORMATION ON SCHOOL OPTIONS

Under current law, each local or regional board of education must provide its students full access to technical high schools, regional vo-ag centers, interdistrict magnet schools, charter schools, and interdistrict student programs for the schools' or programs' recruitment purposes (other than recruiting for interscholastic athletic competition). The bill also requires each board of education to post information about these school options, as well as about alternative high schools, on its website.

§ 15 & 16—UNIFORM SYSTEM OF ACCOUNTING AND CHART OF ACCOUNTS

The bill requires SDE to develop and implement a uniform system of accounting for school revenues and expenditures that includes a chart of accounts for use at the school and school district level. The chart of accounts must include (1) all amounts and sources of revenue that a board of education, regional education service center (RESC), charter school, or charter management organization receives and (2) cash or real property donations to a school district or school totaling an aggregate of \$500 or more. The bill also requires SDE to impose “select measures,” which the bill allows SDE to define, on individual schools.

Starting with FY 15, the bill requires each board of education, RESC, and state charter school to implement the system by filing annual financial reports using a chart of accounts that meets the requirements of an existing statute requiring boards of education to (1) annually submit receipts, expenditures, and statistics to the education commissioner and (2) have the information certified by an independent public accountant selected to audit municipal accounts. The existing law imposes penalties of between \$1,000 and \$10,000 for failing to submit the information on time (CGS § 10-227).

The bill permits OPM to audit the annual financial reports for any board of education, RESC, or state charter school.

The bill also requires SDE to (1) make the chart of accounts available on its website and (2) submit the chart of accounts to the Education and Appropriations committees by July 1, 2013.

It also makes a conforming change by deleting an existing provision that requires the education commissioner to develop a financial information system for boards of education to provide the state with budget and year-end expenditure data (CGS § 10-222(b)).

EFFECTIVE DATE: Upon passage

§ 17—STUDY OF SMALL DISTRICT ISSUES

The bill requires SDE to study issues related to districts with fewer than 1,000 students (“small districts”). The department must consider:

1. financial disincentives, such as a small district reduction percentage (see below), for small districts whose per-pupil costs exceed the state average for the prior year;
2. financial incentives for such districts to consolidate;
3. the \$100-per-student Education Cost Sharing (ECS) grant regional bonus as well as the effect of other state reimbursement bonuses for regional districts and cooperative arrangements; and
4. the ECS minimum budget requirement.

The bill defines per-student cost as a district's net current expenditures divided by its average student membership (student count) as of October 1. Likewise, the state per-student average cost is the sum of the net current expenditures of all local and regional school districts divided by the sum of their average student memberships as of October 1.

It defines a "small district reduction percentage" as a reduction in state education funding starting at 10% for the first year a district is 10% or more above the state per-student average cost. This reduction increases by an additional 10 percentage points each year for up to five years for a maximum reduction of 50% if the district continues to spend at least 10% more than the state per-pupil average cost.

SDE must report the findings and recommendations of its study to the Education Committee by January 1, 2013.

EFFECTIVE DATE: Upon passage

§ 18—SCHOOL PERFORMANCE INDICES, ACTIONS REGARDING LOW-ACHIEVING SCHOOLS, AND RECONSTITUTION OF LOCAL BOARDS OF EDUCATION

The bill (1) revamps the education accountability law regarding identifying school districts in need of improvement and (2) creates new categories of schools based on student performance on statewide mastery tests in order to take action to improve academic achievement. In order to separate the schools into five categories, the bill creates a

school performance index (SPI) ranking system.

The bill also modifies the law regarding reconstitution of boards of education in low-performing school districts, including establishing a method of notifying local officials of the start and conclusion of reconstitutions.

School Districts in Need of Improvement, Low-Performing Schools, and Focus Schools

Under the current education accountability law, the education commissioner identifies school districts and individual schools “in need of improvement” in the statewide education accountability plan. The designation “in need of improvement” is based on federal No Child Left Behind (NCLB) Act provisions that require school districts and schools to make adequate yearly progress toward proficient student performance on required tests.

Under the bill, the accountability plan is instead called the “performance management” and support plan, which must be consistent with federal law and regulation. As part of the plan, the bill requires SDE to:

1. continue to identify districts in need of improvement;
2. classify schools in five performance categories with category one representing the highest and category five the lowest based on SPI and other factors; and
3. designate as focus schools those with identifiable low-performing student subgroups using measures of student academic achievement and growth for subgroups in the aggregate or over time, but not after June 30, 2014. (Subgroups are defined in NCLB as groups who have historically underperformed academically when compared to all students. They may include racial groups, English language learners, those eligible for free or reduced lunch, or students with disabilities.)

School Performance Index

The bill creates a measurement called the SPI to gauge how schools perform on statewide mastery tests in math, reading, writing, and science. It also allows the SBE to authorize an alternative version of the index for grade levels above elementary, but does not specify how this alternative version varies from the SPI in the bill.

It prescribes (1) how SPIs are calculated for each school and (2) subject-specific SPIs. The school SPI is used to place each school in one of five categories. The bill applies different state responses and interventions to schools depending upon their category.

Calculating the SPI. A school's SPI is its students' weighted performance on the statewide mastery tests in reading, writing, and mathematics given in grades three through eight and 10, and science in grades five, eight, and 10. By law, public school students are required to take the tests in these grades. It divides students into five groups based on the five levels of mastery test scores: below basic (the lowest score), basic, proficient, goal, and advanced. But it does not indicate how much weight applies to each level.

Under the bill, the test score data used for the index is either (1) the data of record on the December 31st following the tests or (2) that data as adjusted by the SDE according to a board of education's request for an adjustment filed with SDE by the November 30th following the tests.

Categories One Through Five. Under the bill, the performance management and support plan must state the performance factors used to determine the category for each school. The factors may include:

1. the SPI,
2. change in SPI over time,
3. student achievement growth measured by standardized assessments, and

4. high school graduation and dropout rates overall and for subgroups of students.

The bill establishes the five categories as described in Table 1.

Table 1: School Categories Under the Performance Management and Support Plan

Category	School Description
5	Ranked having the lowest performance as indicated by factors in that may include SPI, change in SPI over time, student achievement growth, and high school graduation and dropout rates overall and for subgroups of students
4	Ranked having the lowest performance other than Category 5 schools based on factors that may include the four factors listed above for Category 5
3	Ranked having performance higher than category 4 and 5 but lower than 1 and 2 based on the same factors listed above
2	Ranked having performance higher than category 3, 4, and 5 but lower than 1 based on the same factors listed above
1	Ranked having the highest performance of any schools based on the same factors listed above

Category Three Schools. The bill allows SDE to impose certain requirements on category three schools. The department may (1) require the schools to develop and implement plans consistent with the bill and federal law to elevate them from a low-achieving status and (2) impose on them any of the actions contained in the statewide performance management and support plan.

SDE may also require the local or regional board of education for a category three school to collaborate with the appropriate RESC to develop plans to ensure the school provides:

1. early education opportunities;
2. summer school;
3. extended school day or year programming;
4. weekend classes;
5. tutors; or

6. professional development for its administrators, principals, teachers, and paraprofessional aides.

The commissioner can limit such programs to (1) the student subgroup that has failed to reach performance benchmarks or (2) those in transitional or milestone grades or those who are otherwise at substantial risk of educational failure.

Transition to New Plan

The bill creates a transition period for the SBE to switch the identified schools and districts from the accountability plan under current law, which the bill continues until June 30, 2012, and the new statewide management and support plan prepared under the bill.

The schools and districts currently identified as in need of improvement under the accountability plan:

1. continue under that plan through June 30, 2012;
2. are monitored by SDE, beginning in July 2012, to determine if student achievement for the schools and districts is at an acceptable level, as defined in the bill's new statewide performance management and support plan;
3. are evaluated by the local or regional board of education by July 1, 2012 to determine whether they are making adequate yearly progress;
4. are subject to the state-wide performance management and support plan if they fail to make adequate yearly progress;
5. are subject to rewards and consequences as defined in the management and support plan; and
6. continue to be eligible for available federal or state aid.

Low-Achieving Schools and Districts

By law, districts in need of improvement are one group and low-achieving school districts are a subset of that group. By law and

unchanged by the bill, a school or district in need of improvement that requires corrective action under the federal NCLB law is designated a low-achieving school or district that is subject to intensified SBE supervision and direction.

The bill also designates category four and five schools and focus schools as low-achieving schools and requires the SBE to intensively supervise and direct them. Consequently, it extends an existing statutory list of required SBE actions for low-achieving schools or districts to category four and five schools and focus schools. By law, for low-achieving schools and districts, and under the bill for category four and five schools and focus schools, the SBE must take any of the actions from the list below to improve the student performance of a school or district or of a student subgroup to remove the school or district from the low-achieving list.

SBE may:

1. require operational and instructional audits;
2. direct the district to implement an achievement plan that addresses the deficits found in the instructional audit;
3. require the local board to use state and federal funds for critical needs as directed by SBE;
4. provide incentives to attract high quality teachers and principals;
5. direct the transfer and assignment of teachers and principals;
6. require the local board to implement a model curriculum;
7. identify schools to be reconstituted as state or local charter or, innovation schools, or other models for school improvement or for management by an entity other than the local or regional board of education for that school;
8. establish learning academies within the schools that require continuous monitoring of student achievement, and crafting of

achievement plans; and

9. provide funding for students in the low-achieving district to attend school in a neighboring district with higher achievement levels.

By law, many of the possible SBE actions (including numbers 2, 4, 5, 7, and 8 from the list above) must be carried out according to the Teacher Negotiation Act (CGS §§ 10-153a to 153n).

The bill gives SBE additional options to:

1. require the appointment of a superintendent, approved by the education commissioner or
2. require the appointment of a special master, selected by the commissioner, with the same authority as the Windham special master (PA 11-61, § 138) and whose term must be for one fiscal year, unless SBE extends it.

The authority under the Windham special master law includes:

1. a requirement that SBE require the school board to ask the union representing a school district bargaining unit to reopen an existing contract for the sole purpose of revising employment conditions to implement the district's improvement plan and
2. an expedited arbitration process if the parties fail to agree to one or more issues related to implementing the improvement plan.

Comptroller's Authority to Withhold ECS Grant Funds Repealed

The bill eliminates a requirement that the comptroller withhold ECS grant money from a town that otherwise is required to appropriate the funds to its board of education because of the school district's low academic achievement. (Section 34 of the bill gives the comptroller similar authority to withhold funds from towns that are designated alliance districts under the bill.)

School Governance Councils

The bill removes the law regarding school governance councils from CGS § 10-223e and moves it, with some changes, to a new section of the bill (see § 23).

Reconstituted School Boards

The bill makes several changes to the law regarding reconstituting local boards of education for low-achieving school districts. The changes involve notice to local officials regarding the electoral process when a reconstitution starts and when it concludes.

By law, SBE may authorize the commissioner to reconstitute a local board of education in a low-achieving district. The bill requires the electoral process regarding the board to be suspended for the period of reconstitution (by law, an initial three years with the option to extend for an additional two). The bill defines the electoral process to include (1) candidate nominations by political parties, (2) nominating petitions, (3) write-in candidacies, and (4) filling board vacancies.

Upon terminating a local or regional board under the existing law, the bill requires the commissioner to notify the:

1. town clerk in the school district, or clerk of each member town in the case of a regional board of education and
2. secretary of the state (SOTS).

The termination notice must include the termination date and the positions terminated.

The bill requires the commissioner to decide whether he will extend the life of a reconstituted board by two years at least 180 days before the three-year terms ends.

When a reconstituted board is reaching its conclusion, the bill requires the commissioner to notify the town clerk or clerks, as appropriate, and the SOTS at least 175 days before the reconstituted board's term ends. When the SOTS receives the notice, the electoral process begins according to municipal election law. If the notice is

delivered before the time specified in law for party nominations for municipal offices, the office can be placed, with the approval of the local legislative body, on the ballot of a regular fall election.

EFFECTIVE DATE: Upon passage

§ 19—COMMISSIONER’S NETWORK SCHOOLS

The bill establishes the education commissioner’s network of schools to improve the student academic achievement in low-performing schools and establishes steps the commissioner, district turnaround committees, and local and regional boards of education must take regarding the network. On or before July 1, 2014, the commissioner must select up to 25 schools that have been classified as a category four or a category five school pursuant to § 18 of the bill to participate in the network.

He must also follow the following criteria the bill establishes, to:

1. give preference for selection in the network schools (a) that volunteer to participate in the network, provided the board of education for the school and the school district unions mutually agree to participate, or (b) the existing union agreements for teachers and administrators will expire in the school year in which a turnaround plan will be implemented and
2. not select more than two schools from a single school district in a single school year and not select more than four in total from a single district.

Schools must be in the network for between three and five years and the bill details steps that must be taken before a school can leave the network.

The commissioner must provide funding, technical assistance, and operational support to schools participating in the commissioner's network of schools and may provide financial support to teachers and administrators working at a participating school. SBE must pay all costs attributable to developing and implementing a turnaround plan

in excess of the school's ordinary operating expenses.

Each school selected for the network must begin to implement of a turnaround plan, as described in the bill, not later than the school year commencing July 1, 2014.

The bill details (1) numerous steps to establish a turnaround committee for each district to develop turnaround plans for network schools, (2) how those plans are approved and implemented, (3) limits on the number of nonprofit private entities authorized to manage network schools, (4) the transition out of the network, and (5) reporting requirements for the commissioner regarding the network.

§ 19 (b) – Turnaround Committee

Once a school is selected by the commissioner, that school's local or regional board of education must establish a turnaround committee for the school district. The turnaround committee must consist of the following:

1. two members appointed by the board, one of whom must be an administrator employed by the board and one of whom must be the parent or guardian of a student enrolled in the school district;
2. three members appointed by the teachers union, at least two of whom must be teachers employed by the board and at least one of whom must be the parent or guardian of a student enrolled in the school district; and
3. the commissioner, or his designee.

The district superintendent, or his or her designee, is a nonvoting ex-officio member and serves as the chairperson of the turnaround committee.

The turnaround committee, in consultation with the school governance council for a selected network school, must:

1. assist SDE in conducting the operations and instructional audit

required under this section (see below),

2. develop a turnaround plan for the school in accordance with this section (see below) and guidelines issued by the commissioner, and
3. monitor implementation of such turnaround plan.

The commissioner's guidelines must include annual deadlines for submission and approval or rejection of turnaround plans.

§ 19 (c) — Network School Audit and Inventory

The bill requires SDE to conduct an operations and instructional audit of each school selected to participate in the commissioner's network. SDE must conduct the audit following the establishment of a turnaround committee and in consultation with the school's (1) local or regional board of education, (2) governance council, and (3) turnaround committee. The audit must be conducted pursuant to SDE guidelines and determine the extent to which the school:

1. has established a strong family and community connection;
2. has a positive environment, evidenced by (a) a culture of high expectations, (b) a safe and orderly workplace, and (c) other nonacademic factors that impact student achievement, such as students' social, emotional, arts, cultural, recreational, and health needs;
3. has effective leadership, evidenced by the principal's (a) performance appraisals, (b) track record in improving student achievement, (c) ability to lead turnaround efforts, and (d) managerial skills and authority in scheduling, staff management, curriculum implementation, and budgeting;
4. has effective teachers and support staff, evidenced by (a) performance evaluations, (b) policies to (i) retain effective staff and those who have the ability to be successful in the turnaround effort and (ii) prevent ineffective teachers from

transferring to the schools, and (c) job-embedded, ongoing professional development informed by teacher evaluations and support programs tied to teacher and student needs;

5. uses time effectively, evidenced by redesigning the school day, week, or year to include additional time for student learning and teacher collaboration;
6. has a curriculum and instructional program that (a) is based on student needs and research, (b) is rigorous, (c) aligns with state academic content standards, and (d) serves all children and achievement levels;
7. uses evidence for continuous improvement and informed decision-making, including time for collaboration on the use of data.

The audit must be informed by an inventory of:

1. before- and after- school programs;
2. school-based health centers, family resource centers, or other community services offered at the school, including social services, mental health services, and parenting support programs;
3. the implementation of scientific research-based interventions and resources for such interventions during the school year and summer school programs;
4. resources for gifted and talented students;
5. the length of the school day and year and summer school programs;
6. an alternative high school, if any;
7. the number of teachers employed and the number who have left in each of the previous three school years;

8. student mobility, including the number of enrolled students who have left the school;
9. several student-related statistics, including the number of students (a) whose primary language is not English, (b) receiving special education services, (c) who are truants, (d) eligible for free or reduced price lunches, and (e) eligible for HUSKY Part A;
10. the school's curricula, including (a) the reading curricula and programs, if any, for grades K-3, (b) arts and music programs, and (c) physical education programs and periods for recess and physical activity;
11. the number of school psychologists and social workers and their respective ratios to the number of students;
12. teacher and administrator performance evaluation programs, including (a) the evaluations' frequency, (b) how they are conducted and by whom, (c) the standards for performance ratings and follow-up and remediation plans, (d) aggregate results of teacher performance evaluation ratings, and (e) any other available measures of teacher effectiveness;
13. professional development activities and programs;
14. access to technology inside and outside the classroom by teachers and students;
15. student access to and enrollment in mastery test preparation programs;
16. availability of textbooks, learning materials, and other supplies;
17. student demographics, including race, gender, and ethnicity;
18. kindergarten students' chronic absenteeism, evidenced by being absent on more than 10% of school days; and
19. an examination of the existing school improvement plan to (a)

determine why those efforts did not result in significant improvement of student achievement and (b) identify the governance, legal, operational, staffing or resource constraints that should be addressed, modified, or removed for the school to succeed.

§ 19 (d) —Turnaround Plan

The bill requires the turnaround committee to develop a turnaround plan for such school after the operations and instructional audit is completed.

The turnaround plan must:

1. include a description of how such turnaround plan will improve student academic achievement in the school,
2. address deficiencies identified in the operations and instructional audit, and
3. utilize one of the bill's turnaround model options.

The model options are a:

1. CommPACT school (CGS § 10-74g);
2. social development model;
3. RESC management or governance;
4. school reorganization model with themed academies, required block scheduling for math and literacy, and frequent student assessments (CGS § 10-74f);
5. model developed by turnaround committee that uses best practices with a proven record used at public schools, interdistrict magnet schools, and charter schools or collected by the commissioner according to this section; and
6. model adopted in consultation with the commissioner or by the commissioner using a private nonprofit educational

management organization according to specified limitations.

The turnaround plan may include proposals changing the hours and schedules of teachers and administrators at such school, the length and schedule of the school day, the length and calendar of the school year, the amount of time teachers must be present in the school beyond the regular school day, and the hiring or reassignment of teachers or administrators at the school.

If a turnaround committee does not develop a turnaround plan, or if the commissioner determines that a turnaround plan developed by a turnaround committee is deficient, the commissioner may develop the plan for the school. When the commissioner develops a plan, he may appoint a special master to implement it.

The turnaround plan must direct all resources and funding to programs and services delivered at the school for the educational benefit of the students enrolled there and be transparent and accountable to the local community. SBE must approve the turnaround plan developed by a turnaround committee before a school may implement it.

For the school year beginning July 1, 2012, the commissioner must develop one turnaround plan for a school selected to participate in the network. The turnaround plan must be implemented for the school year beginning July 1, 2012, and may assign the management, administration, or governance of the school to an approved not-for-profit educational management organization (as defined below), and shall negotiate matters relating to such turnaround plan in accordance with the bill's provisions (§ 20) to circumstances when a turnaround committee fails to reach consensus or the commissioner develops the turnaround plan.

The school governance council for each turnaround school may recommend a turnaround model to the turnaround committee for the council's school (low-achieving schools are required by law to have councils). The council can choose from models 1 through 5 on the list above. The turnaround committee may accept the council's

recommendation or choose a different turnaround model to include in its plan.

§ 19 (e) – Limits on Assigning Control to Non-Profit Management

The bill defines “approved not-for-profit educational management organization” and places limits on how many network schools these management organizations can operate.

An “approved not-for-profit educational management organization” is defined as a not-for-profit organization that is exempt from taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, that (1) operates a state charter school located in the state that has a record of student academic success for students enrolled in the state charter school or (2) is located out-of-state and has experience and a record of success in reconstituting schools or improving student achievement for low-income or low-performing students without changing the enrollment practices and student population demographics of a school while respecting existing contracts of school employees.

The commissioner cannot permit more than one turnaround committee to choose a management organization to manage, administer, or govern a network school for the school year beginning July 1, 2012. He cannot permit more than five total committees to select a management organization for the school years beginning July 1, 2013, or July 1, 2014. Also the commissioner may not permit more than three such organizations to be chosen for a single year.

The turnaround plan shall not assign the management, administration, or governance of such school to a (1) for-profit corporation or (2) a private not-for-profit organization unless it is a college or university or an approved not-for-profit education management organization, as defined and approved under the bill. The bill prohibits the commissioner from allowing a turnaround committee to assign the management, administration, or governance of such school to a for-profit corporation.

§ 19 (f) — Partnering to Compile Best Practices

The bill permits the commissioner to partner with any public or private college or university in the state for up to a year to assist SDE in collecting, compiling, and replicating strategies, methods, and best practices that have been proven to be effective in improving student academic performance in public schools, interdistrict magnet schools, and charter schools.

The commissioner must make these strategies, methods, and best practices available to local and regional boards of education and turnaround committees for use in developing a turnaround model and in implementing a school's turnaround plan.

§ 19 (g) — Collective Bargaining, Contract Modifications and Election to Work Agreements

Nothing in the network provisions must alter the union agreements applicable to the administrators and teachers employed by the local board of education, subject to the Teacher Negotiation Act (TNA) and the agreements must be considered to be in operation at schools participating in the commissioner's network of schools, except to the extent the provisions are modified by (1) any memorandum of understanding between the board of education and the administrators or teachers union or (2) a turnaround plan, including, but not limited to, an election to work agreement pursuant to the turnaround plan for the school and negotiated in accordance with the provisions of section 20 of the bill.

§ 19 (h) — Transition Out of the Network

Each school participates in the network for at least three years with the option of up to two one-year extensions. The commissioner must evaluate schools prior to the end of year three to determine whether the school is ready to exit the network. In determining whether a school may exit the network, the commissioner must consider whether the local or regional board of education has the capacity to ensure that the school will maintain or improve its student academic performance.

If a school is determined to be ready to exit, the local school board,

in consultation with the commissioner, must develop a plan for transition back to local control and the SBE must approve the plan.

If the school is not ready to exit the network it must participate in the commissioner's network of schools for an additional year, and the commissioner must conduct an evaluation of the school. Before the end of the fifth year that a school is in the network, the commissioner must develop, in consultation with the local or regional board of education for the school, a plan, subject to SBE approval, for the transition of the school back to full control by the local or regional board of education.

§ 19 (i) —Audit Due from Commissioner

The bill requires the education commissioner to submit a network school's operations and instructional audit and turnaround plan to the legislature's Education Committee no later than 30 days after SBE approves the plan.

§ 19 (j) — Reporting Requirements

The bill imposes numerous reporting requirements, including that the commissioner submit annual network school academic performance reports to the Education and Appropriations committees. He must also submit a final report for each school when it exits the network.

By January 1, 2020, the commissioner must submit to the Education Committee a report on the network schools' effect on student achievement and recommend whether the network should continue.

EFFECTIVE DATE: Upon passage

§ 20—COLLECTIVE BARGAINING AND TURNAROUND PLANS

The bill requires the local school board and the teachers' or administrators' union to negotiate on any matters in an approved turnaround plan or a plan developed by the commissioner that conflicts with provisions of an existing union contract.

It sets out two detailed tracks for these negotiations, one for turnaround plans agreed to at the local level and approved by SBE and

another when (1) there is no consensus on the local plan, (2) the commissioner deems the local plan deficient, or (3) no local plan is developed. For the track regarding non-consensus or no sufficient plan, a bargaining referee must determine whether the matters that conflict with the existing agreement are to be negotiated under existing bargaining parameters or through impact bargaining.

Under either track, if negotiations reach an impasse, an expedited arbitration process is used and any arbitration decision is final and binding.

Consensus Plan Track

When the members of the turnaround committee reach consensus on a plan and SBE approves it, the affected unions and the school board for the network school must negotiate with respect to salary, hours, and other conditions of employment any matter in the turnaround plan that conflicts with an existing union agreement. The negotiations must be completed no later than 30 days from the date the consensus is reached by the turnaround committee.

Unions must ratify, by a majority vote of their members, any agreement reached by the parties through negotiations. Upon ratification, the turnaround plan must be implemented at such school.

If the (1) parties reach an impasse on one or more issues or (2) members of the union fail to ratify the proposed agreement, the parties must proceed to the expedited arbitration process (see below). The decision resulting from the expedited arbitration is final and binding and included in the turnaround plan, which must be implemented at the school.

Non-Consensus, No Plan, or Deficient Plan Track

When there is no consensus on the local plan, the commissioner deems the local plan deficient, or no local plan is developed, the commissioner, in consultation with teachers and parents of the school, must develop a plan.

The bill establishes a process for these plans when the school board

and the unions agree on all components of the commissioner's plan or they disagree on all or certain components of it.

If the board of education and the union agree on (1) all components or (2) certain components of the turnaround plan, they must negotiate only the financial impact of the agreed upon components of the plan for those matters that conflict with an existing union contract. The negotiations must be completed no later than 30 days from the date consensus is reached by the turnaround committee.

Unions must ratify, by a majority vote of their members, any agreement reached by the parties through negotiations. Upon ratification, such turnaround plan components must be implemented at the school.

If the parties reach an impasse in negotiations or the proposed agreement is not ratified, the parties proceed to the expedited arbitration process. The decision resulting from expedited arbitration is final and binding and included in the turnaround plan. Such components of the turnaround plan must then be implemented at such school.

If the board of education and the union do not agree on (1) all components of the turnaround plan or (2) certain components of such turnaround plan, the parties must jointly select a turnaround plan referee from the list created under the bill (see § 21).

The turnaround plan referee must determine the type of negotiations that apply to the components when there is no agreement. If the components are deemed to be significantly different from what is comparable to a public school with a record of academic success, the components will be subject to bargaining that includes salaries, hours, and conditions of employment. If the components are deemed to be comparable to a public school with a record of academic success, the components are only subject to financial impact bargaining.

Under either full or impact bargaining, the negotiations must be completed not later than 30 days from the date the turnaround

committee reaches an agreement.

Any agreement reached by the parties through negotiations must be submitted for approval by the union members and ratified upon a majority vote. Upon ratification, the turnaround plan components must be implemented at the school.

If the parties reach an impasse in negotiations or the proposed agreement is not ratified, they must proceed to the expedited arbitration process. The decision resulting from the expedited arbitration is final and binding and included in the turnaround plan. Such components of the turnaround plan must then be implemented at such school.

Impasse in Either Track

No later than five days after the date the parties reach an impasse on one or more issues or the union fails to ratify an agreement, the parties must select a single impartial arbitrator in accordance with the provisions of Teachers Negotiations Act. No later than 10 days after the arbitrator's selection, he or she must hold a hearing in the town in which the school is located. At the hearing, the parties must submit to the arbitrator their last best offer on each individual issue in dispute. The commissioner or his designee must have an opportunity to make a presentation at the hearing. Not later than 20 days after the hearing, the arbitrator must render a signed, written decision that states in detail the nature of the decision and the disposition of the issues.

The arbitrator must give the highest priority to the educational interests of the state, pursuant state law, as such interests relate to the children enrolled in the school in arriving at a decision and must consider other factors as described in the TNA, in light of the educational interests. The decision is final and binding and included in the turnaround plan. The turnaround plan must then be implemented at the school.

EFFECTIVE DATE: Upon passage

§ 21—TURNAROUND PLAN REFEREES

The bill requires the education commissioner, by July 1, 2012, to create a list of five turnaround plan referees that local or regional boards of education for commissioner's network schools and their employee bargaining units may use when negotiating matters in turnaround plans that conflict with existing collective bargaining agreements. The referees must (1) have expertise in education policy and school operations and administration and (2) be mutually agreed upon by the education commissioner and the unions representing teachers and administrators.

EFFECTIVE DATE: Upon passage

§ 22—NONPROFIT EDUCATIONAL MANAGEMENT ORGANIZATION REQUIREMENTS

The bill requires a nonprofit educational management organization that manages, administers, or governs a commissioner's network school implementing a turnaround plan to annually submit to the education commissioner a report on the school's operations. The organization must make the report publicly available, and it must include:

1. students' educational progress;
2. the financial relationship between the management organization and the school, including a certified audit statement of all revenues from public and private sources and expenditures;
3. the time devoted to the school by the management organization's employees and consultants;
4. best practices used by the organization at the school that contribute significantly to students' academic success;
5. student and teacher attrition rates; and
6. the organization's annual revenues and expenditures for the school.

The reporting requirement must be included in each contract

between the organization and the school's local or regional board of education. The contract must also state the organization's services and fees and outline the circumstances in which the board may terminate the contract.

The bill requires the management organization to continue the school's enrollment policies and practices that were in effect before entering into the commissioner's network. It specifies that the organization is not the employer of the school's principal, administrators, or teachers.

§ 23—SCHOOL GOVERNANCE COUNCILS

The bill makes changes to the law regarding school governance councils.

The law (1) requires boards of education that have jurisdiction over schools designated as low-achieving to establish a school governance council for each such school and (2) allows boards with schools designated as "in need of improvement" to create them. The law also makes exceptions to the requirement for (1) schools with only one grade and (2) governance councils that were already in place when the governance council law was enacted, if they involve teachers, parents, and others.

After July 1, 2012, the bill requires all school boards that have category four and five schools to establish councils for each of those schools.

By law, the councils must consist of seven parents or guardians of students, two community leaders within the school district, five teachers in the school, and one nonvoting member who is the principal or his or her designee. Councils for high schools must also have two nonvoting student members.

The councils have a number of responsibilities, including analyzing school achievement data, participating in hiring the principal and other administrators, and developing and approving a written parent involvement policy. A council may also recommend that a school be

reconstituted and this recommendation sets off a series of statutorily required steps.

§§ 24-28—ACCOUNTABILITY LAW, SCHOOL GOVERNANCE COUNCILS

These sections make conforming and technical changes.

§§ 29-31—STATE AND LOCAL CHARTER SCHOOL FUNDING

Grant to State Charter Schools

The bill increases the state's annual per-student grant to state charter schools over three years from \$9,400 to \$11,500. It increases the grant from \$9,400 to \$10,500 for FY 13, to \$11,000 for FY 14, and to \$11,500 for FY 15 and subsequent fiscal years.

Local Charter Schools

State Grants. Starting in FY 14, the bill allows SBE, within available appropriations, to approve (1) operating grants of up to \$3,000 per student and (2) grants of up to \$500,000 as startup costs to establish local charter schools on or after July 1, 2012. The grants are payable only if the board of education for the charter school and the union representing the board's certified employees mutually agree on staffing flexibility in the school and the SBE approves the agreement.

To be eligible for an operating or startup grant, SBE must determine that the applicant has:

1. high-quality, feasible strategies for, or a record of success in, serving educationally needy students, i.e., those who (a) have a history of low academic performance or behavioral or social difficulties, (b) receive free or reduced-price school lunches, (c) are eligible for special education, or (d) are English language learners (ELLs); or
2. a high-quality, feasible plan for, or a record of success in, turning around existing schools that have consistently substandard student performance.

The eligible charter school must (1) apply to SBE for the grant as the

board prescribes and (2) if it receives a grant, file reports and financial statements the education commissioner requires. SDE may (1) redistribute unspent funds appropriated for startup grants for the same purposes in the next fiscal year and (2) develop needed criteria and guidelines to administer the grants.

District Contribution. Under current law, the school board of a local charter school student's home district must pay the school's fiscal authority the per-student amount specified in the school's charter. The payment must include reasonable special education costs for a student requiring special education. The bill also requires the board's support to at least equal its per-pupil cost for the prior fiscal year, minus any per-pupil special education costs paid by a student's home district, multiplied by the number of students attending the school in the current fiscal year.

The bill defines the district's per-pupil cost as its net current expenditures for education divided by the number of public school students enrolled at the board's expense as of October 1st or the immediately preceding full school day, plus the number of students who attended full-time summer school sessions at district expense in the preceding summer.

The district's "net current expenditures" are its total education expenditures excluding:

1. student transportation,
2. capital costs supported by school construction grants and debt service,
3. adult education,
4. health services for private school students,
5. tuition,
6. income from federal- and state-aided school meal programs, and

7. fees for student activities.

State Grants to Charter Schools To Be Paid Through Towns

The bill requires the state to pay grants for state and local charter schools to the town where each school is located as an addition to the town's ECS grant. It requires towns to pay the amounts the education commissioner must designate to each charter school's fiscal authority.

The state grants covered by these payment provisions are the:

1. annual per-student grants of (a) \$10,500 to state charter schools and (b) up to \$3,000 for qualifying new local charter schools and
2. startup grants of up to (a) \$75,000 for new state charter schools that help the state meet the desegregation goals of the 2008 *Sheff* settlement agreement and (b) \$500,000 for qualifying new local charter schools.

To accommodate payments through towns, the bill requires the state to pay the charter school per-student amounts to towns according to the following schedule: (1) 25% by July 1 and September 1 based on estimated charter school student enrollment on May 1, and (2) 25% by January 1 and the remainder by April 15th based on the school's actual enrollment as of October 1. Towns must in turn pay the charter schools (1) 25% of the required amounts by July 15 and September 15, (2) 25% by January 15, and (3) the remainder by April 15.

The bill also requires towns to pay \$500,000 startup grants to local charter schools by July 15th.

§ 32—APPROVAL OF NEW CHARTER SCHOOLS

New Charter Schools

By law, SBE must review and approve all applications for local and state charter schools. The local school district where the school will be located must also approve the charter for a local charter school.

Starting July 1, 2012, the bill allows SBE to grant new state and local charters only to schools located in towns that, at the time of the

application, have (1) at least one school participating in the commissioner's network or (2) a school district designated as low-achieving. Current law does not limit charter school locations.

In addition, the bill requires two of the first four new state charter schools the SBE approves between July 1, 2012 and July 1, 2017 to be schools specifically focused on providing a dual language or other program models focusing on language acquisition by English language learners. (A dual language program is a two-way bilingual program that integrates language minority and language majority students and provides instruction in both the minority language (such as Spanish) and English.)

The bill also requires charter school applicants, in describing their student admission procedures that ensure open access on a space available basis, to also ensure that they allow students to enroll in the school during the school year if spaces are available.

Charter School Preferences

The bill adds to the types of schools to which SBE must give preference when reviewing charter school applications. The law already requires the board to give a preference to charter applications containing certain elements, such as schools located in priority districts or in districts where student populations are at least 75% minority. The bill requires SBE to also give preference to applicants whose primary purpose is to:

1. serve students (a) with a history of low academic performance or behavioral and social difficulties, (b) receiving free or reduced priced lunches, (c) requiring special education, (d) who are ELLs, or (e) who are of a single gender; or
2. improve the academic performance of an existing school that has consistently demonstrated substandard academic performance, as determined by the education commissioner.

In addition to providing the preference for serving one or more of the educationally needy populations mentioned above, SBE must give

preference to applications that demonstrate highly credible and specific strategies to attract, enroll, and retain such students. Charter applications must include student recruitment and retention plans that clearly describe (1) the school's capacity to recruit and retain such students and (2) how it plans to do so.

Charter Renewals

The bill gives SBE an additional reason to deny a charter school's renewal application. That reason is the school's insufficient efforts to effectively attract, enroll, and retain all of the educationally needy students mentioned above except students of a single gender.

Waiver of Enrollment Lottery

By law, if a charter school has more students applying for enrollment than it has spaces, it must hold an enrollment lottery of those applicants to determine admissions. The bill allows the SBE, upon application, to waive the lottery requirement for schools with a primary purpose of serving at least one of the following: (1) students with a history of behavioral and social difficulties; (2) special education students; (3) ELLs; or (4) students of a single gender.

The bill bars enrollment lotteries for any public school with a school performance index that places it in the lowest-performing 5% of schools that is converted to a local charter school.

§ 33—CHARTER SCHOOL OPT-OUT LOTTERY STUDY

The bill requires SDE to study "opt-out lotteries" for determining enrollment in state and local charter schools. Such lotteries automatically include all students who (1) live in the district where the school is located and (2) are enrolled in any grade the school serves, unless a student chooses not to participate. The study must cover (1) the feasibility of charter school governing authorities and boards of education for districts where they are located conducting such lotteries for state charter schools, (2) the methods by which they may be conducted, and (3) the costs of doing so.

SDE must report the study's results and any recommendations to

the Education Committee by February 1, 2014.

§ 34—ALLIANCE DISTRICTS

The bill requires the education commissioner to hold back Education Cost Sharing (ECS) grant increases to towns with the lowest-performing school districts and establishes conditions for releasing the funds. The school districts subject to the conditional funding are called “alliance districts.”

Designating the Districts

An alliance district is a town whose school district is among those with the lowest academic performance as measured by a district performance index (DPI) the bill establishes. For FY 13, the bill requires the education commissioner to designate 30 alliance districts. Districts keep the designation for five years. The commissioner must determine, by June 30, 2016, whether to designate additional alliance districts.

The bill also establishes a subcategory of alliance districts called “educational reform districts,” which are the 10 districts with the lowest DPIs.

District Performance Index

A town’s DPI is its students’ weighted performance on the statewide mastery tests in reading, writing, and mathematics given in grades three through eight and 10, and science in grades five, eight, and 10. The index is calculated by:

1. weighting student scores in each of these subjects as follows: zero for below basic (the lowest score), 25% for basic, 50% for proficient, 75% for goal, and 100% for advanced;
2. adding up the weighted student scores for each subject;
3. multiplying the aggregate student results in each subject by 30% for math, reading, and writing and 10% for science; and
4. adding up the weighted subject scores.

The weightings produce the lowest indexes for districts with the

lowest test scores.

Under the bill, the test score data used for the index is either (1) the data of record on the December 31st following the tests, or (2) that data as adjusted by SDE according to a board of education's request for an adjustment filed by the November 30th following the test.

Conditional Funding

The bill requires the state comptroller to hold back any ECS grant increase over the prior year's grant that is payable to an alliance district town in FY 13 or any subsequent fiscal year. The comptroller must transfer the money to the education commissioner. An alliance district may apply to receive its ECS grant increase when and how the education commissioner prescribes. The bill allows the commissioner to pay the funds to the district on condition that they are spent according to its approved district improvement plan (see below) and guidelines the bill allows SBE to adopt.

The bill requires any balance of the conditional ECS funds allocated to each alliance district that remains unspent at the end of any fiscal year to be carried over and remain available to the district for the following fiscal year.

District Improvement Plan

Alliance districts must use their conditional ECS funding to improve local achievement and offset other local education costs the commissioner approves. To be eligible to receive the funds, a district must submit an application to the commissioner. The application must contain objectives and performance targets as well as an improvement plan that may include:

1. a tiered intervention system for the district's schools based on their needs;
2. ways to strengthen reading programs to ensure reading mastery in grades K-3 and that focus on (a) standards and instruction, (b) proper data use, (c) intervention strategies, (d) current information for teachers, (e) parental engagement, and (f)

- teacher professional development;
3. additional learning time, including extended school day or year programs run by school personnel or external partners;
 4. a talent strategy that includes teacher and school leader recruitment and assignment, career ladder policies that (a) draw on SBE-adopted model evaluation guidelines and evaluation programs adopted by school districts and (b) may include provisions demonstrating increased ability to attract, retain, promote, and bolster staff performance according to performance evaluation findings and, for new personnel, other indicators of effectiveness;
 5. training for school leaders and other staff on new teacher evaluation models;
 6. provisions for cooperating and coordinating with early childhood education providers to ensure alignment between those programs and district expectations for students entering kindergarten, including funding for an existing local Head Start program;
 7. provisions for cooperating and coordinating with other government and community programs to ensure students receive adequate support and “wraparound services,” including community school models (schools that provide social services for eligible families in addition to regular instruction for students); and
 8. any additional categories or goals the commissioner determines.

The plan must also demonstrate collaboration with “key stakeholders” the commissioner identifies to achieve efficiencies and align the intent and practice of current programs with those of the conditional programs identified in the bill.

State Oversight

The bill allows the commissioner to (1) withhold conditional funding if an alliance district fails to comply with the bill's requirements and (2) renew the funding if a district's school board provides evidence that the district is meeting the objectives and performance targets of its plan.

Districts receiving conditional funding must submit annual expenditure reports in a form and manner the commissioner prescribes. The commissioner must determine whether to (1) require a district to repay amounts not spent in accordance with its approved application or (2) reduce the district's grant by that amount in a subsequent year.

§ 35 – EXPANDED CLASSROOM EXPERIENCE REQUIREMENTS FOR TEACHER PREPARATION PROGRAMS

Starting July 1, 2015, the bill requires teacher preparation programs to require, as part of their curricula, that students have classroom clinical, field, or student teaching experience during four semesters of the program.

§ 36—PROFESSIONAL EDUCATOR CERTIFICATES

Initial Issuance

Connecticut has a three-level certification system for public school teachers and administrators: initial, provisional, and professional. Under current law, professional certificates are valid for five years and may be renewed only if the teacher or administrator completes 90 hours of continuing education, known as continuing education units (CEUs).

Starting July 1, 2016, the bill raises the qualifications for a professional certificate by requiring applicants to hold a master's degree rather than, as current law requires, to successfully complete (1) before July 1, 2016, 30 hours of graduate or undergraduate credit beyond a bachelor's degree or (2) on or after July 1, 2016, 30 hours of graduate credit. The master's degree must be in a subject appropriate to the person's certification endorsement, as determined by SBE.

The bill extends the same master's degree requirement to a certified teacher who has taught in another state, U.S. possession or territory, the District of Columbia, or Puerto Rico and applies for a Connecticut professional certificate (§ 40).

Renewal

The bill eliminates the requirement that a professional certificate holder complete 90 CEUs in order to renew his or her professional certificate. Instead, it makes the certificate valid for five years and requires that it be continued every five years. Under the bill, all certificate holders must participate in professional development activities, which replace the CEU requirements starting July 1, 2013 (see § 39).

Exemption from TEAM Program

The bill makes two exceptions to the requirement that all candidates for provisional educator certificates successfully complete the Teacher Education and Mentoring (TEAM) program in his or her endorsement area. It exempts any applicant who has taught:

1. under an appropriate certificate from another U.S. state, territory, or possession, the District of Columbia, or Puerto Rico for at least three of the last 10 years or
2. in an SBE-approved nonpublic school in Connecticut for at least three years in the last 10.

§§ 37 & 38—DISTINGUISHED EDUCATOR DESIGNATION

The bill establishes a new distinguished educator designation for a person who:

1. holds a professional educator certificate,
2. has taught successfully for at least five years in a public school or SBE-approved private special education facility,
3. has advanced education in addition to a master's degree from a degree or non-degree-granting institution that can include

training in mentorship or coaching teachers, and

4. meets performance requirements established by SDE.

The SDE's performance standards for the designation must consider demonstrated distinguished practice as validated by SDE or its approved validator. The SBE must renew the designation every five years if the person continues to meet the performance standards as validated by SBE or an SBE-approved entity. The bill makes teachers with distinguished educator designations, as well as professional and provisional certificates, eligible to serve as mentors in the TEAM program.

The bill establishes fees of \$200 for a distinguished educator designation application and \$50 for a duplicate copy of the designation. The education commissioner can waive the fees if he determines that an applicant cannot pay because of extenuating circumstances.

§ 39—PROFESSIONAL DEVELOPMENT FOR EDUCATORS

The bill eliminates the requirement that professional certificate holders successfully complete 90 CEUs every five years as a condition of certificate renewal (see § 36). Instead, starting July 1, 2013, it requires all certified employees, including initial and provisional certificate holders, to participate in professional development programs. Under current law, initial and provisional certificate holders do not need CEUs.

The bill revises professional development to emphasize improved practice and individual and small-group coaching sessions. It continues current requirements that districts (1) offer professional development according to plans developed in consultation with a professional development committee consisting of the district's certified personnel and other appropriate members; (2) determine specific professional development activities with the advice and help of their teachers, including their union representatives; and (3) offer activities that give full consideration to SBE's priorities related to

student achievement.

New Design for Professional Development

By law, school districts must make available at least 18 hours of professional development for certified employees at no cost. The bill requires that a preponderance of the 18 hours be in a small-group or individual instructional setting. It also requires the professional development to:

1. improve integration of (a) reading instruction, (b) literacy and numeracy enhancement, and (c) cultural awareness, and include strategies to improve English language learner instruction into teacher practice;
2. be used to improve teacher and administrator practice based on general results and findings from teacher evaluations reported by the school superintendent or designee;
3. foster collective responsibility for improved student performance;
4. be comprehensive, sustained, and intensive enough to improve teacher and administrator effectiveness in raising student achievement;
5. focus on refining and improving effective teaching methods shared among educators and fostering collective responsibility for improving student performance;
6. be (a) aligned with state student academic achievement standards, (b) conducted among educators at the school, and (c) facilitated by principals, coaches, mentors, distinguished educators, or other appropriate teachers;
7. occur frequently for teachers individually or in groups, within their jobs, and as part of a continuous improvement process; and
8. include a repository of teaching best practices developed by

each school's educators which is continuously available to them for comments and updates.

It also requires the education commissioner, rather than the SBE, to approve continuing education providers that are not either boards of education or RESCs.

Professional Development Content

The bill maintains a requirement that school superintendents and other administrators complete at least 15 hours of professional development every five years in teacher evaluation and support. It eliminates the following professional development requirements:

1. for those with childhood nursery through grade three or elementary endorsements, at least 15 hours of training in teaching reading, reading readiness, and reading assessment;
2. for those with elementary, middle, or secondary academic endorsements, at least 15 hours in how to use computers in the classroom unless they can demonstrate competency; and
3. for those with bilingual endorsements, training in language arts, reading, or math for elementary school teachers and in the subject they teach, for middle and secondary school teachers.

It also eliminates (1) professional development completion deadline extensions for certificate holders who were unemployed or members of the General Assembly during the five-year period, (2) a requirement that professional certificate holders attest that they have successfully completed the 90 CEUs at the end of each five-year period, and (3) a requirement that the state and local school districts share the cost of required professional development activities.

SDE Audits and Penalties

By law, SDE must notify a school board of its failure to meet the professional development requirements. The bill also requires SDE to audit district professional development programs and allows SBE to assess financial penalties against districts it finds out of compliance

based on such an audit.

Under the bill, SBE can require a school board to forfeit an SBE-determined amount from its state grants, to be assessed in the fiscal year after the determination of noncompliance. SBE can waive the penalty if it determines the noncompliance was due to circumstances beyond the school board's control.

§§ 40-50 – CONFORMING SECTIONS

These sections make technical changes to conform to the certification changes described above.

§ 51—TEACHER EVALUATION PROGRAMS

The bill expands the required components of (1) state guidelines for a model teacher evaluation program and (2) local school districts' teacher and school administrator evaluation programs. By law, SBE, in consultation with the PEAC, must adopt guidelines for the model program by July 1, 2012. Teacher evaluation programs used by local school districts must be consistent with the state's model.

State Model Teacher Evaluation Guidelines

The bill expands the requirements for the guidelines for the state model evaluation program for teachers and school administrators that SBE must adopt by July 1, 2012.

Current Requirements. Current law requires the model to provide guidance on using multiple indicators of student academic growth in evaluations and to include:

1. ways to measure student academic growth;
2. consideration of "control" factors tracked by the expanded public school data system that could influence teacher performance, such as student characteristics, attendance, and mobility; and
3. minimum requirements for evaluation instruments and procedures.

New Requirements. The bill also requires the guidelines to provide for:

1. using four ratings to evaluate teacher performance: (a) exemplary, (b) proficient, (c) developing, and (d) below standard;
2. scoring systems to determine the ratings;
3. periodic training on the evaluation program both for teachers being evaluated and for administrators performing evaluations, offered by the school district or its RESC;
4. professional development based on individual or group needs identified through evaluations;
5. opportunities for career development and professional growth; and
6. a validation procedure for SDE or an SDE-approved third party entity to audit ratings of below standard or exemplary.

Remediation Plans. For teachers whose performance is rated below standard or developing, the bill requires the guidelines to call for improvement and remediation plans that:

1. are developed in consultation with the affected employee and his or her union representative;
2. identify resources, support, and other methods to address documented deficiencies;
3. show a timeline for implementing such measures in the same school year as the plan is issued; and
4. provide success indicators, including a minimum overall rating of proficient at the end of the improvement and remediation plan.

School District Teacher Evaluation Programs

Local Plan Requirements. By law, a school superintendent must “continuously” evaluate his or her school district's teachers or cause them to be evaluated. (“Teachers” include all certified professional employees below superintendent.) School boards must develop the evaluation programs with the advice and assistance of the teachers’ and school administrators’ collective bargaining representatives (unions). They must be consistent with SBE guidelines and with any other guidelines established by mutual agreement between the board and the unions. Evaluations must address, at least, a teacher's strengths, areas needing improvement, improvement strategies, and multiple indicators of student academic growth.

The bill requires district evaluations to (1) be carried out annually, (2) include support as well as evaluation, and (3) be consistent with model guidelines adopted by SBE. It allows district programs to include periodic (“formative”) evaluations during the year leading up to the final, overall (“summative”) annual evaluation. Under the bill, any teacher or administrator who does not receive a summative evaluation during the school year must receive a rating of “not rated” for that year.

Waivers. The bill allows SBE to waive the requirement of consistency with its model guidelines for any district that, before the model guidelines are validated, developed a teacher evaluation program that SBE determines substantially complies with the guidelines.

Status Reports on Local Evaluations. Current law requires each superintendent to report to his or her board of education by June 1 annually on the status of the evaluations. The bill also requires superintendents to report annually, by June 30, to the education commissioner on the implementation of evaluations, including their frequency, aggregate evaluation ratings, the numbers of teacher and administrators not evaluated, and other requirements as determined by SDE.

EFFECTIVE DATE: Upon passage

§ 52—TEACHER EVALUATION AND SUPPORT PILOT PROGRAM

The bill requires the education commissioner to administer a teacher evaluation pilot program for the 2012-13 school year. He must select at least eight but no more than 10 districts to participate in the pilot. For purposes of the pilot evaluation programs, the bill defines “teacher” to include administrators.

The pilot program must:

1. assess implementation of evaluation programs developed by school boards and that comply with SBE model guidelines,
2. identify needed technical assistance and support for districts implementing such programs,
3. train administrators to conduct evaluations,
4. train teachers being evaluated,
5. include a process for SDE or its designee to validate evaluations, and
6. provide funds to districts for program administration.

By May 25, 2012, districts may apply, in a form and manner the commissioner prescribes, to participate in the pilot program. The commissioner must select a diverse group of rural, suburban, and urban districts with varying student academic performance levels to participate in the pilot. If there are not enough applicants to meet these requirements, the bill allows the commissioner to select districts to participate.

EFFECTIVE DATE: Upon passage

§ 53 – NEAG STUDY OF PILOT PROGRAM

The bill requires UConn’s Neag School of Education to:

1. analyze and evaluate the pilot program’s implementation for each participating district;

2. compare each district's evaluation program to the SBE guidelines; and
3. compare and evaluate performance data from mastery and progress monitoring tests as indicators of, and methods of assessing, student academic growth and development.

When it completes the study, but no later than January 1, 2014, Neag must submit (1) the study results and any recommendations on validating the SBE's teacher evaluation guidelines to SBE and (2) the study itself to the Education Committee

EFFECTIVE DATE: Upon passage

§ 54 – EVALUATION TRAINING

Before implementing the teacher evaluation and support program, but no later than July 1, 2014, the bill requires school boards to provide training for all evaluators and orientation to all teachers they employ regarding the evaluation and support program. Evaluators must be trained before they conduct any evaluations under the new program and each teacher must complete the orientation before being evaluated.

§ 55 – ANNUAL SDE AUDITS OF EVALUATION PROGRAMS

Each year starting July 1, 2014, the bill requires the education commissioner, within available appropriations, to randomly select at least 10 district evaluation programs for a comprehensive SDE audit. SDE must submit audit results to the Education Committee.

§ 56 – ONGOING EVALUATION TRAINING

The bill requires each board of education, as part of its regular in-service training for certified teachers, administrators, and pupil personnel, to provide information on its teacher evaluation and support program.

§ 57—TEACHER TENURE AND TERMINATION

The bill requires school superintendents to incorporate evaluations into decisions about granting tenure and gives local and regional

boards of education additional grounds to terminate a teacher for cause. It streamlines and shortens teacher termination notice and hearing requirements and specifies that most deadlines in the process must be counted in calendar days. Under both current law and the bill, the tenure and termination provisions apply to all certified professional school board employees below the rank of school superintendent who are defined collectively as “teachers.”

Granting Tenure

By law, to attain tenure in a particular school district, a certified employee must (1) have completed a specified period of continuous service with the school district (see BACKGROUND) and (2) be offered a contract to return the following year. Under the bill, the school superintendent must base the contract decision on effective practice as informed by the teacher’s performance evaluations.

Grounds for Teacher Termination

By law, a teacher may be dismissed only for specified reasons. In addition, a board of education may notify a nontenured teacher, in writing, by May 1st of any school year that his or her contract will not be renewed for the following year.

On or after July 1, 2014, this bill explicitly allows a district to terminate a teacher on the grounds that he or she is ineffective if that determination is based on evaluations that comply with SBE guidelines for evaluating teachers.

Under current law and the bill, a teacher may also be terminated for:

1. inefficiency or incompetence, as determined by an evaluation that complies with the SBE’s evaluation guidelines;
2. insubordination against reasonable board of education rules;
3. moral misconduct;
4. disability proven by medical evidence;
5. elimination of the position to which the teacher was appointed

or loss of a position to another teacher, if there is no other position for which the teacher is qualified and subject to the applicable provisions of a collective bargaining agreement or school board policy; or

6. other due and sufficient cause.

Termination Hearing Requirements and Procedures

By law, tenured and nontenured teachers are entitled to a hearing before being terminated for cause. Nontenured teachers are also entitled to a hearing when their contracts are not renewed for any reason other than elimination of the teacher's position or loss of the position to another teacher ("bumping").

The bill makes several changes to streamline the process for these hearings. It:

1. eliminates the maximum 14 days currently allowed for a tenured teacher who receives a termination notice to file a written request for the reasons and the board to provide written reasons and instead requires the board to state the reasons in the written termination notice;
2. for a nontenured teacher, establishes a three-day deadline after receiving notice of termination or nonrenewal to request the reasons and reduces the deadline for the board of education to supply written reasons from seven to four days after receiving the teacher's request;
3. shortens the deadline for a teacher to request a hearing from 20 to 10 days after he or she receives a termination or nonrenewal notice;
4. eliminates the teacher's or board's option to choose a hearing before a three-member impartial hearing panel while maintaining existing options for a hearing before (a) an impartial hearing officer chosen by the teacher and the school superintendent, or (b) the full board of education or a three-

member subcommittee;

5. requires hearings on terminations for incompetence or ineffectiveness to address whether the teacher’s performance ratings were (a) determined in good faith according to the required evaluation procedures and (b) reasonable in light of the evidence presented;
6. limits termination hearings for incompetence and ineffectiveness to a total of 12 hours of evidence and testimony, six for each side, while allowing the board, board subcommittee, or hearing officer to extend the time for good cause shown; and
7. requires a board subcommittee or hearing officer to submit findings and recommendations on the case to the board of education within 45, rather than 75, days after the hearing request, unless the parties mutually agree to a maximum 15-day extension.

Table 3 compares the current and proposed teacher termination processes. The bill specifies that all the days in the process are calendar days.

Table 3: Teacher Termination Process

<i>Action</i>	<i>Deadlines Under Current Law</i>	<i>Deadline Changes Under the Bill</i>
School board notifies teacher in writing that it is considering termination or a nontenured teacher that his or her contract will not be renewed	<ul style="list-style-type: none"> • Termination notice: Anytime • Nonrenewal notice: By May 1 annually 	No change
Teacher files written request asking the board to state its reasons for the action	Tenured teacher: 7 days after receiving notice Nontenured teacher: No time limit	<ul style="list-style-type: none"> • Termination: Not applicable (bill requires termination notice to state reasons) • Nonrenewal: Within three days after receiving the notice
Board notifies teacher in writing of reasons	7 days after board receives request	<ul style="list-style-type: none"> • Termination: Not applicable • Nonrenewal: Within four days after the board receives the

Action	Deadlines Under Current Law	Deadline Changes Under the Bill
		request
Teacher files written request for a hearing	Within 20 days after teacher receives termination or nonrenewal notice	Within 10 days after the teacher receives the notice
Hearings begin (Hearings may be public at the teacher's request or if designated by the board or hearing officer. The teacher may appear and be represented by counsel.)	Within 15 days after the board receives the hearing request; parties may mutually agree to extend this deadline for a maximum of 15 days	Specifies calendar days
Time limits on testimony and evidence	None	<ul style="list-style-type: none"> • Six hours for each side; 12 hours total • Board, board subcommittee, or hearing officer may extend the time for good cause
Board subcommittee or hearing officer submits written findings and recommendations to the full board concerning the case and sends a copy to the teacher	Within 75 days after the hearing request unless the parties agree to extend for a maximum of 15 days	Within 45 calendar days after the hearing request unless the parties agree to extend for a maximum of 15 calendar days
Board gives teacher its written decision	Within 15 days of receiving the recommendations or, if the hearing takes place before the full board, within 15 days after the close of the hearing	Specifies calendar days.
Maximum Time From Notice to Termination	125 Days	85 Days

Under both current law and the bill, once the board issues its written decision, a teacher has 30 days to appeal that decision to Superior Court. The bill specifies that this 30-day period is counted in calendar days.

Other Calendar-Day Provisions

In addition to the deadlines described above, the bill specifies that the following periods are to be counted in calendar days:

1. the minimum 90-day period of required work for a board of education before a teacher is covered by the law's tenure and for-cause termination provisions and
2. the maximum 35-day period within which a school board that has not delegated final hiring authority to the school

superintendent must accept or reject a school superintendent's candidates for teaching positions in schools under the board jurisdiction.

EFFECTIVE DATE: July 1, 2014

§ 58—SCHOOL SUPERINTENDENT CERTIFICATION WAIVERS

Appointment as Acting Superintendent

The law requires a person serving as a school superintendent to have a Connecticut superintendent certificate. But the law also allows a board of education, with the education commissioner's approval, to appoint as acting school superintendent someone who does not have a Connecticut certificate.

The bill extends the maximum duration of an acting superintendent's appointment from a specified period of up to 90 days, with commissioner-approved good cause extensions, to up to one school year. It also:

1. makes the acting superintendent's term a probationary period;
2. requires the acting superintendent, during the probationary period, to successfully complete an SBE-approved educational leadership program offered by a Connecticut higher education institution; and
3. eliminates any option to extend an acting superintendent's employment beyond the probationary period.

Instead of allowing for an acting superintendent's employment beyond the probation any period, the bill allows an employing school board, at the end of a probationary period, to ask the commissioner to waive certification, thus allowing the board to appoint the acting superintendent as the district's permanent superintendent.

Superintendent Certification Waiver

By law, the education commissioner may waive certification for a school superintendent who (1) has at least three years of successful

experience in the past 10 in another state as a certified administrator in a public school with a superintendent certificate issued by that state or (2) the commissioner considers to be exceptionally qualified.

In the latter case, in addition to being exceptionally qualified, the bill also requires the waiver candidate to have successfully completed the probationary period as an acting superintendent. Current law only requires the person to be an acting superintendent. The bill eliminates requirements that, to be exceptionally qualified, the person also (1) have worked as a school superintendent in another state for at least 15 years and (2) be or have been certified as a superintendent by the other state.

§§ 59-61—EDUCATION COST SHARING (ECS) GRANT INCREASES FOR FY 13

The bill increases FY 13 ECS grants to 136 towns by various amounts listed in the bill. Under current law, each town's ECS grant for FY 13 is the same as its FY 12 ECS grant. The grant increases for FY 13 total \$50 million in the aggregate. The bill makes no changes in the ECS formula, although it imposes conditions for alliance districts to receive their grant increases.

As already mentioned, the bill also requires the state to add each state or local charter school's state grant amounts for FY 13 to the ECS grants paid to towns where the schools are located. It requires each town to pay the amount designated by the education commissioner to the fiscal authority for the charter school.

§ 62—MINIMUM BUDGET REQUIREMENT FOR FY 13

MBR for FY 13

By law, towns receiving ECS grants must budget minimum annual amounts for education. This requirement is known as the minimum budget requirement (MBR). Under current law and the bill, each town's base MBR for FY 13 is the amount they budgeted for education in FY 12.

MBR Reductions

Current law allows a qualifying town to reduce its MBR for FY 12 and FY 13 if (1) its school district enrollment falls compared to the prior year, by up to \$3,000 times the drop in enrollment or (2) it has no high school and is paying tuition for fewer students to attend high school in another district compared to the prior year, by the per-student tuition rate times the drop in enrollment. Under current law, both of these reductions are limited to 0.5% of the district's budgeted appropriation for education for the prior fiscal year.

The bill:

1. for both FY 12 and FY 13, allows a district with no high school and that is paying for fewer students to attend high school outside the district to reduce its budgeted appropriation for education by the full amount of its lowered tuition payments;
2. allows a town to reduce its MBR for FY 13 by up to 0.5% of its FY 12 budgeted appropriation for education to reflect half of any new savings from (a) a regional collaboration or cooperative arrangement with one or more other districts or (b) increased efficiencies within its school district, as long as the savings can be documented and the education commissioner approves; and
3. permits a district to use only one of the allowable MBR reduction options.

§ 63—GRANT INCREASES FOR NON-SHEFF MAGNET SCHOOLS

Starting in FY 13, the bill increases annual state per-pupil operating grants for non-*Sheff* interdistrict magnet schools as shown in Table 1. Non-*Sheff* magnets are schools that do not explicitly help the state meet the goals of the 2008 settlement in the *Sheff v. O'Neill* school desegregation case relating to Hartford and its surrounding towns.

Table 1: Increases for Non-*Sheff* Magnet Grants

<i>Type of Interdistrict Magnet School</i>	<i>Per-Student Grant</i>	
	<i>Current Law</i>	<i>Bill</i>

Type of Interdistrict Magnet School	Per-Student Grant	
	Current Law	Bill
Operated by local school district ("host magnet")	\$6,730	\$7,085
Operated by RESC ("RESC magnet") with less than 55% of its students from a single town	\$7,620	\$7,900
RESC magnet with 55% or more of its students from a single town ("dominant town") – with one exception (see below)	For each student from outside the dominant town: \$6,730 For each student from the dominant town: \$3,000	For each student from outside the dominant town: \$7,085 For each student from the dominant town: \$3,000
RESC magnet with between 55% and 80% of students from a dominant town	For each student from outside the dominant town: \$6,730 For each student from the dominant town: \$3,833	For each student regardless of originating town: \$8,180

The bill also eliminates obsolete language.

§ 64—PER-STUDENT GRANT FOR VO-AG CENTERS

The bill increases the annual state grant for each student attending a regional agricultural science and technology ("vo-ag") center from \$1,355 to \$1,750. It also prohibits local and regional boards of education that operate centers from using any increase in state funding to supplant local education funding for FY 13 or any subsequent fiscal year.

§§ 65 & 66 — SUMMER SCHOOL AND EXTENDED DAY GRANT PHASE-OUTS FOR FORMER PRIORITY SCHOOL DISTRICTS

Among other things, priority school districts receive state grants for (1) summer school and weekend programs and (2) extending school hours to provide academic enrichment and support and recreation programs for students in the district. Starting with FY 14, the bill requires these grants to phase out over three years once a district is no longer designated a priority district rather than ending them all at once. Under the bill, a former priority district receives grants of 75%, 50%, and 25% of its final grant as a priority district in the three years

following loss of eligibility.

Towns qualify as priority districts based on high populations or concentrations of students on welfare and students performing poorly on state mastery exams. SDE designates the districts in the first year of each biennium. The current priority districts are Ansonia, Bridgeport, Danbury, East Hartford, Hartford, Meriden, New Britain, New Haven, New London, Norwalk, Norwich, Putnam, Stamford, Waterbury, and Windham.

§ 67—SPECIAL EDUCATION PAYMENTS FOR CHILDREN IN DMHAS FACILITIES

By law, the Department of Mental Health and Addiction Services (DMHAS) must provide regular and special education services to eligible residents in its facilities. The bill transfers the responsibility for paying for these costs from SBE to DMHAS. It also makes a conforming change to eliminate a requirement that SBE pay for the costs in two installments.

§ 68—BLOOMFIELD MAGNET SCHOOL EXEMPTION

The bill extends for an additional year, through FY 12, an exemption for the Big Picture Magnet School, an approved interdistrict magnet school operated by Bloomfield, from statutory student diversity requirements for interdistrict magnet schools. These requirements (1) limit the number of students from any of the school's participating towns to 75% of its total enrollment and (2) specify that students of racial minorities must comprise at least 25% but no more than 75% of a school's student body.

The bill's exemption allows the school to continue receiving a state magnet school operating grant in FY 12. Starting July 1, 2012, the school must reopen as The Global Experience Magnet School under an operation plan approved by the education commissioner. For purposes of meeting diversity requirements for interdistrict magnet schools, the bill specifies that the school is considered to have begun operating as of that date, thus, by law, giving it until its second year of operation to meet the desegregation requirements of the *Sheff v. O'Neill* settlement.

The education commissioner can grant an extension for one additional year.

EFFECTIVE DATE: Upon passage

§§ 69-87—TECHNICAL HIGH SCHOOL SYSTEM

New Governing Board

The bill changes the name of the regional vocational-technical (V-T) schools to the technical high school system (CTHSS) and creates a new 11-member board to govern it. Under current law, the V-T schools are under the authority of the SBE and its technical high school subcommittee.

The new board consists of the following:

1. four executives of Connecticut-based employers appointed by the governor from nominees submitted by the Connecticut Employment and Training Commission,
2. five members appointed by SBE, and
3. the economic and community development and labor commissioners.

The governor must appoint the chairperson, who serves as a nonvoting ex-officio member of the SBE. It adds the CTHSS chairperson to the SBE; thus increasing the membership from 13 to 14.

CTHSS Superintendent

The bill requires the CTHSS board and the education commissioner to make a joint recommendation that the SBE appoint a particular candidate as the system's superintendent. It makes the superintendent responsible for the system's operation and administration.

Budget Process

The bill requires each technical high school to prepare a proposed operating budget for the next school year, and submit it to the system superintendent. The superintendent must collect, review, and use each

school's proposed operating budget a guide in preparing a proposed operating budget for the CTHSS system.

The bill requires the superintendent to submit a proposed operating budget for the system to the CTHSS board. If the board disapproves it, it must adopt an interim budget, which takes effect at the start of the fiscal year and remains in effect until the superintendent submits and the board approves a modified operating budget. The superintendent must submit a copy of the approved operating budget to OPM.

By law, the superintendent must, twice a year, submit the operating budget for each technical high school to OPM, the Office of Fiscal Analysis, and the Education Committee. The bill also requires the superintendent to report the requested and final school operating budgets to the Education and Appropriations committees.

Conforming Changes

The bill makes numerous technical and conforming changes to reflect the name change and the responsibilities of the new board and its chairperson. Under existing law, the superintendent is required to (1) meet with specified legislative committees by November 30 annually about the system and (2) consult with the labor commissioner on the creation of an integrated system of statewide advisory committees for career clusters offered by the CTHSS. The bill requires the superintendent to perform these tasks with the board chairperson.

§ 88 — SDE WEBSITE INFORMATION

The bill requires SDE to annually make the following information available on its website:

1. the statewide performance management and accountability plan required by the amended school accountability law (§ 19);
2. a list of schools ranked from lowest to highest by SPI;
3. the formula and method the department used to calculate each school's SPI, and

4. the alternative versions of the formula used to calculate school subject indexes for non-elementary grades.

§ 89—INTENSIVE READING INSTRUCTION PROGRAM

For the school year beginning July 1, 2012, and each school year thereafter, the commissioner must create an intensive reading instruction program to improve student literacy in grades kindergarten to three, inclusive, and close the achievement gap. The definition of achievement gap is the same as used in § 4 for the early literacy pilot program.

The intensive reading instruction program must include:

1. routine reading assessments for students in kindergarten to grade three, inclusive,
2. scientifically-based reading research and instruction,
3. an intensive reading intervention strategy, as described in the bill,
4. supplemental reading instruction and reading remediation plans, as described in the bill, and
5. an intensive summer school reading program, as described in the bill.

For the school year beginning July 1, 2012, the commissioner shall select five elementary schools that are (1) located in an educational reform district, as defined in § 34 of the bill , (2) participating in the commissioner's network of schools, pursuant to § 19, or (3) among the lowest 5% of elementary schools SPI for reading and mathematics, as defined in § 18, to participate in the intensive reading instruction program and for the school year starting July 1, 2013, and each school year thereafter, the commissioner may select up to five such schools to participate in the intensive reading instruction program.

The intensive reading intervention strategy will be used by the schools the commissioner selects for the intensive reading program.

The strategy must, at a minimum, include:

1. rigorous assessments in reading skills,
2. scientifically-based reading research and instruction,
3. one SDE-funded external literacy coach for each school,
4. four SDE-funded reading interventionists for each school, and
5. training for teachers and administrators in scientifically-based reading research and instruction, including, training for school administrators on how to assess a classroom to ensure that all children are proficient in reading.

The literacy coach for each school will support the school principal, observe and coach classes, and supervise reading interventions. The reading interventionists will develop a reading remediation plan for any student who is below proficiency, be responsible for all supplemental reading instruction, and conduct any needed reading assessments.

Any student of a priority school that is selected for the intensive reading program who is reading below proficiency at the end of the school year must be enrolled in an intensive summer school reading program that includes specified components named in the bill. The components include, among other items, a comprehensive reading intervention and scientifically-based reading research and instruction strategies.

The bill also includes the following reporting requirements:

1. The principal of a school participating in the program must submit reports to SDE at a time and in a manner the department determines.
2. Not later than October 1, 2013 and annually thereafter, SDE will report on the program to the Education Committee.

It defines “scientifically-based reading research and instruction” as

(1) a comprehensive program or a collection of practices based on reliable, valid evidence showing that when these programs or practices are used, students can be expected to achieve satisfactory reading progress and (2) the integration of strategies for continuously assessing, evaluating and communicating the student's reading progress and needs in order to implement ongoing interventions so that all students can read and comprehend text and apply higher level thinking skills. The comprehensive program or collection of practices must include, but not be limited to, instruction in five areas of reading: phonemic awareness, phonics, fluency, vocabulary, and text comprehension.

§ 90—MINORITY STUDENTS FOR SPECIAL EDUCATION

The bill requires SDE to identify school districts that disproportionately and inappropriately identify minority students as requiring special education due to reading deficiencies. It requires these districts to submit annual reports to SDE describing their plans to reduce the misidentification of minority students by improving reading assessments and interventions for K-3 students.

Furthermore, the bill requires SDE to study the plans and strategies the districts use that demonstrate improvement in this area. The SDE study must examine the correlation between improvements in teacher training in the science of reading and the reduction in misidentification of students requiring special education services.

For this section, “minority students” means those whose race is defined other than white, or whose ethnicity is defined as Hispanic or Latino by the federal Office of Management and Budget for U.S. Census use.

§ 91—KINDERGARTEN THROUGH GRADE THREE READING PROGRAM

The bill requires SDE by July 1, 2013, to develop a coordinated state-wide reading plan for students in grades K-3 that contains research-driven strategies and frameworks to produce effective reading instruction and improvement in student performance.

The SDE plan must include:

1. the alignment of reading standards, instruction, and assessments for K through third grade students;
2. teachers use of student progress data to adjust and differentiate instruction to improve student reading success;
3. the collection of information about each student's reading background, level, and progress for teachers to use to assist in a student's transition to the next grade level;
4. an intervention for each student who is not making adequate reading progress to help the student read at the appropriate grade level;
5. enhanced reading instruction for students reading at or above their grade level;
6. reading instruction coordination between parents, students, teachers, and administrators at home and school;
7. school district reading plans;
8. parental involvement by providing parents and guardians with opportunities to help teachers and school administrators to (a) create an optimal learning environment and (b) receive updates on their student's reading progress;
9. teacher training and reading performance tests to be aligned with teacher preparation courses and professional development activities;
10. incentives for schools that demonstrate significant student reading improvement;
11. research-based literacy training for early childhood care and education providers and instructors working with children birth to age five; and

12. reading instruction alignment with the common core state standards that the SBE sets.

§§ 92 & 93—REQUIREMENTS TO PASS READING INSTRUCTION TEST

Starting July 1, 2013, the bill requires certified teachers with the comprehensive special education or remedial reading and language arts endorsements to pass the reading instruction test approved by SBE on April 1, 2009.

§ 94—SCHOOL INCENTIVE PROGRAM TO IMPROVE READING

The bill requires the education commissioner to establish an incentive program, within available appropriations, for schools that:

1. increase by 10% the number of students who meet reading goals on Connecticut mastery tests and
2. demonstrate the methods and instruction the school used to achieve those results.

The incentives can include, at the commissioner's discretion, public recognition, financial rewards, and enhanced autonomy or operational flexibility. The bill allows SDE to accept private donations for the program.

§ 94—PRE-LITERACY COURSE

The bill requires the SDE, by July 1, 2013 and in consultation with the Board of Regents for Higher Education, to design and approve a preliteracy course for inclusion in the bachelor's degree program with early childhood education concentration offered by a higher education institution accredited by the Board of Governors of Higher Education. The course must be practice-based and specific to preliteracy and language skills instruction for early childhood education teachers.

§ 96—INFORMATION-SHARING SYSTEM

The bill requires the SDE to collaborate with the Governor's Early Care and Education Cabinet to develop an information-sharing system between preschool and school readiness programs and kindergarten

about children's proficiency in oral language and preliteracy.

§ 97—REPEALER

The bill repeals obsolete provisions requiring (1) boards of education, by September 1, 1999, to develop and implement three-year plans to improve the reading skills of K-3 students and (2) the SDE to provide technical assistance to boards in developing the plans.

BACKGROUND

Charter Schools

Connecticut law defines a charter school as a nonsectarian public school organized as a nonprofit corporation and operated independently of a local or regional board of education. The SBE grants and renews the charters, usually for five years, and, as part of the charter, may waive certain statutory requirements applicable to other public schools. In addition to SBE approval, a local charter school seeking to operate in only one school district must be approved by the local or regional board of education for that district.

A charter school may enroll students in pre-kindergarten through grade 12 in accordance with its charter. Charter schools are open to all students, including special education students, though they may limit the geographic areas from which students may attend. If a school has more applicants than spaces, it must admit students through a lottery.

Priority Districts

Three types of towns qualify as priority school districts: (1) the eight towns with the largest populations, based on the last census; (2) in the first year of each biennium, the 11 towns with the highest numbers of children on welfare plus the largest numbers of children scoring below the remedial level on the Connecticut Mastery Test (CMT); and (3) in the first year of each biennium, the 11 towns that rank highest in the number of children on welfare divided by the "grant mastery percentage." The grant mastery percentage is the number of students in the district scoring below standard on CMT divided by the number taking the test (CGS § 10-266p)

Performance Evaluation Advisory Council

The Performance Evaluation Advisory Council (PEAC) was established in 2010 to help the SBE develop and implement model teacher evaluation program guidelines and a supporting data system. Its members are:

1. the education and higher education commissioners, or their designees;
2. representative of boards of education, school superintendents, other school administrators, and teachers; and
3. an unspecified number of appropriate people selected by the education commissioner, who must include teachers and experts in performance evaluation processes and procedures.

Teacher Tenure

Tenured teachers (1) have their contracts automatically renewed from year-to-year; (2) can be dismissed only for statutorily specified reasons; and (3) have the right to bump nontenured teachers from positions for which the tenured teachers are qualified, if the tenured teachers' positions are eliminated.

By law, teachers and school administrators below the rank of school superintendent ("teachers") attain tenure after 40 school months (four years) of continuous, full-time employment with the same board of education, if their contracts are renewed for the following school year. Teachers who attain tenure with one board of education and who are reemployed by the same or another board after a break in service attain tenure after 20 school months (two years) of continuous employment, if their contracts are renewed for the following school year. Tenured teachers who transfer to a priority school district may attain tenure after working 10 months in that district.