



# House of Representatives

**File No. 800**

General Assembly

January Session, 2013

**(Reprint of File No. 503)**

Substitute House Bill No. 6358  
As Amended by House Amendment  
Schedules "A" and "B"

Approved by the Legislative Commissioner  
May 13, 2013

## **AN ACT UNLEASHING INNOVATION IN CONNECTICUT SCHOOLS.**

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

1 Section 1. Subsection (f) of section 10-221a of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective July*  
3 *1, 2013*):

4 (f) Determination of eligible credits shall be at the discretion of the  
5 local or regional board of education, provided the primary focus of the  
6 curriculum of eligible credits corresponds directly to the subject matter  
7 of the specified course requirements. The local or regional board of  
8 education may permit a student to graduate during a period of  
9 expulsion pursuant to section 10-233d, if the board determines the  
10 student has satisfactorily completed the necessary credits pursuant to  
11 this section. The requirements of this section shall apply to any student  
12 requiring special education pursuant to section 10-76a, except when  
13 the planning and placement team for such student determines the  
14 requirement not to be appropriate. For purposes of this section, a  
15 credit shall consist of not less than the equivalent of a forty-minute

16 class period for each school day of a school year except for a credit or  
17 part of a credit toward high school graduation earned (1) at an  
18 institution accredited by the Board of Regents for Higher Education or  
19 State Board of Education or regionally accredited, [; or] (2) through on-  
20 line coursework that is in accordance with a policy adopted pursuant  
21 to subsection (g) of this section, or (3) through a demonstration of  
22 mastery based on competency and performance standards, in  
23 accordance with guidelines adopted by the State Board of Education.

24 Sec. 2. Subsection (e) of section 10-266aa of the general statutes is  
25 repealed and the following is substituted in lieu thereof (*Effective July*  
26 *1, 2013*):

27 (e) Once the program is in operation in the region served by a  
28 regional educational service center pursuant to subsection (c) of this  
29 section, the Department of Education shall provide an annual grant to  
30 such regional educational service center to assist school districts in its  
31 area in administering the program and to provide staff to assist  
32 students participating in the program to make the transition to a new  
33 school and to act as a liaison between the parents of such students and  
34 the new school district. Each regional educational service center shall  
35 determine which school districts in its area are located close enough to  
36 a priority school district to make participation in the program feasible  
37 in terms of student transportation pursuant to subsection (f) of this  
38 section, provided any student participating in the program prior to  
39 July 1, 1999, shall be allowed to continue to attend the same school  
40 such student attended prior to said date in the receiving district until  
41 the student completes the highest grade in such school. [Each regional  
42 educational service center shall convene, annually, a meeting of  
43 representatives of such school districts in order for such school  
44 districts to report, by March thirty-first, the number of spaces available  
45 for the following school year for out-of-district students under the  
46 program. Annually, each regional educational service center shall  
47 provide a count of such spaces to the Department of Education by  
48 April fifteenth.] Not later than April fifteenth of each school year, each  
49 regional educational service center shall report to the Department of

50 Education the number of spaces available for the following school year  
51 for out-of-district students under the program. If there are more  
52 students who seek to attend school in a receiving district than there are  
53 spaces available, the regional educational service center shall assist the  
54 school district in determining attendance by the use of a lottery or  
55 lotteries designed to preserve or increase racial, ethnic and economic  
56 diversity, except that the regional educational service center shall give  
57 preference to siblings and to students who would otherwise attend a  
58 school that has lost its accreditation by the New England Association  
59 of Schools and Colleges or has been identified as in need of  
60 improvement pursuant to the No Child Left Behind Act, P.L. 107-110.  
61 The admission policies shall be consistent with section 10-15c and this  
62 section. No receiving district shall recruit students under the program  
63 for athletic or extracurricular purposes. Each receiving district shall  
64 allow out-of-district students it accepts to attend school in the district  
65 until they graduate from high school.

66 Sec. 3. (*Effective from passage*) The Department of Education shall  
67 conduct a study of issues relating to local partnerships for  
68 advancement of the teaching profession. Not later than June 30, 2015,  
69 the department shall submit such study and any recommendations to  
70 the joint standing committee of the General Assembly having  
71 cognizance of matters relating to education, in accordance with the  
72 provisions of section 11-4a of the general statutes.

73 Sec. 4. (*Effective from passage*) (a) There is established a task force to  
74 study education mandate relief for high performing school districts.  
75 Such task force shall (1) review education mandates in the general  
76 statutes and regulations of Connecticut state agencies and make  
77 recommendations regarding which mandates may be waived for high  
78 performing school districts, and (2) explore ways in which high  
79 performing school districts can work with the Department of  
80 Education to relieve other administrative education mandates on such  
81 school districts. Such task force may consult with the Red Tape Review  
82 and Removal Task Force established by the Governor in 2012. For  
83 purposes of this section, "high performing school district" means a

84 school district that is (A) among the fifteen school districts with the  
85 highest absolute district performance index, as defined in section 10-  
86 262u of the general statutes, for the school year commencing July 1,  
87 2012, (B) among the five school districts with the greatest rate of  
88 progress in district performance index during the school years  
89 commencing July 1, 2010, to July 1, 2012, inclusive, or (C) among the  
90 five school districts with the greatest decrease in the achievement gap  
91 for students who are eligible for free or reduced price lunches  
92 pursuant to federal law and regulation, as measured by the district  
93 performance index for such students during the school years  
94 commencing July 1, 2010, to July 1, 2012, inclusive.

95 (b) The task force shall consist of the following members:

96 (1) Two appointed by the speaker of the House of Representatives;

97 (2) Two appointed by the president pro tempore of the Senate;

98 (3) One appointed by the majority leader of the House of  
99 Representatives;

100 (4) One appointed by the majority leader of the Senate;

101 (5) One appointed by the minority leader of the House of  
102 Representatives, who shall be a superintendent from a high  
103 performing school district; and

104 (6) One appointed by the minority leader of the Senate.

105 (c) Any member of the task force appointed under subdivision (1),  
106 (2), (3), (4) or (6) of subsection (b) of this section may be a member of  
107 the General Assembly.

108 (d) All appointments to the task force shall be made not later than  
109 thirty days after the effective date of this section. Any vacancy shall be  
110 filled by the appointing authority.

111 (e) The speaker of the House of Representatives and the president

112 pro tempore of the Senate shall select the chairpersons of the task force  
 113 from among the members of the task force. Such chairpersons shall  
 114 schedule the first meeting of the task force, which shall be held not  
 115 later than sixty days after the effective date of this section.

116 (f) Not later than October 1, 2013, the task force shall submit a report  
 117 on its findings and recommendations to the joint standing committee  
 118 of the General Assembly having cognizance of matters relating to  
 119 education, in accordance with the provisions of section 11-4a of the  
 120 general statutes. The task force shall terminate on the date that it  
 121 submits such report or October 1, 2013, whichever is later.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2013</i>	10-221a(f)
Sec. 2	<i>July 1, 2013</i>	10-266aa(e)
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>from passage</i>	New section

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

**OFA Fiscal Note**

**State Impact:**

Agency Affected	Fund-Effect	FY 14 \$	FY 15 \$
Various State Agencies	GF - Potential Cost	less than 1,000	None

**Municipal Impact:**

Municipalities	Effect	FY 14 \$	FY 15 \$
Various Local and Regional School Districts	Cost/Savings	Potential	Potential

**Explanation**

**Section 1** of the bill permits local and regional school districts an additional, non-traditional method for awarding credits toward high school graduation. As this section is permissive, it will only result in a fiscal impact to districts choosing to implement it. The fiscal impact incurred by the district is dependent upon the type of method, the size of it, and the number of students affected. For some districts, implementing the additional method could result in a cost, and for others, a savings. Currently, Connecticut has a League of Innovation Schools that seeks out methods for non-traditional credit completion. Those schools include:

Conard High School (West Hartford), East Hartford High School, Edwin O. Smith High School (Mansfield), Farmington High School, High School in the Community (New Haven), Naugatuck High School, New Britain High School, New Fairfield High School, New Fairfield Middle School, Stonington High School, Watertown High School and William H. Hall High School (West Hartford).

**Section 2** of the bill eliminates certain requirements related to the Open Choice interdistrict attendance program, which results in no fiscal impact, as the changes are procedural in nature.

**Section 3** requires the State Department of Education (SDE) to study issues relating to local partnerships for advancing the teaching profession, which results in no fiscal impact as SDE has staff with expertise in this area.

Finally, the bill creates a taskforce to study education mandate relief for high performing school districts. This could result in a potential cost, of less than \$1,000 in FY 14, to reimburse various state agency personnel for mileage.

**House "A"** makes a procedural change to **Section 1** and maintains the requirement that regional educational service centers (RESCs) report to the State Department of Education on the number of available spaces, for the following school year, for out of district students. This requirement will not result in a fiscal impact.

**House "B"** creates a taskforce to study education mandate relief for high performing school districts with the resulting impact identified above.

***The Out Years***

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

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**OLR Bill Analysis****sHB 6358 (as amended by House “A” and “B”)\*****AN ACT UNLEASHING INNOVATION IN CONNECTICUT SCHOOLS.****SUMMARY:**

This bill:

1. permits high school students to earn academic credits using non-traditional, mastery-based standards based on guidelines established by the State Board of Education (SBE);
2. establishes an eight-member task force to study education mandate relief for high-performing school districts;
3. eliminates an annual interdistrict meeting requirement related to the Open Choice attendance program; and
4. requires the State Department of Education (SDE) to (a) study issues relating to local partnerships for advancing the teaching profession and (b) submit the results to the Education Committee by June 30, 2015.

\*House Amendment “A” (1) requires SBE to adopt guidelines for competency and performance standards that students can use to earn mastery-based academic credits and (2) maintains the current requirement that Regional Education Service Centers (RESCs) provide SDE an annual count of available Open Choice seats in their districts by April 15.

\*House Amendment “B” adds the provision establishing the task force to study education mandate relief for high-performing school

districts.

EFFECTIVE DATE: July 1, 2013, except the task force and local partnerships study provisions are effective upon passage.

### **MASTERY-BASED ACADEMIC CREDITS**

The bill permits an additional, non-traditional method for high school students to earn academic credits towards graduation by demonstrating mastery based on competency and performance standards, in accordance with guidelines adopted by SBE. By law, a student may already earn non-traditional credit by completing coursework (1) at a Connecticut public institution of higher education or (2) online, in accordance with local or regional board of education policy.

### **TASK FORCE TO STUDY MANDATE RELIEF**

#### ***Duties***

The task force must study education mandate relief for high-performing school districts, including (1) reviewing mandates in the state statutes and regulations and recommending which ones may be waived for high-performing districts and (2) exploring ways in which such districts can work with SDE to relieve other administrative mandates. In doing so, it may consult with the governor's Red Tape Review and Removal Task Force.

The bill defines a "high performing school district" as one that is among the:

1. 15 school districts with the highest absolute district performance index (DPI) for the 2012-13 school year (see BACKGROUND);
2. five school districts with the greatest rate of progress in DPI during the school years 2010-11 through 2012-13; or
3. five school districts with the greatest decrease in the achievement gap for students eligible for free or reduced price lunches, as measured by the DPI for such students during the

school years 2010-11 through 2012-13.

### ***Membership***

Task force members are appointed by legislative leaders as follows:

1. two each by the House speaker and Senate president pro tempore and one each by the House and Senate majority and Senate minority leaders, each of whom may be a legislator and
2. one superintendent of a high-performing school district, appointed by the House minority leader.

Appointing authorities must make their appointments within 30 days of the bill's passage and fill any vacancies. The House speaker and Senate president pro tempore must select the chairpersons from among the members. The chairpersons must schedule the first meeting within 60 days of the bill's passage.

### ***Report and Termination***

The task force must report its findings and recommendations to the Education Committee by October 1, 2013. It terminates on the date it submits the report or on October 1, 2013, whichever is later.

### **OPEN CHOICE INTERDISTRICT ATTENDANCE PROGRAM**

The bill eliminates a requirement related to the Open Choice interdistrict attendance program, which, under current law, aims to (1) improve academic achievement; (2) reduce racial, ethnic, and economic isolation; and (3) provide a choice of educational programs for public school students. The bill removes the requirement that each RESC organize an annual meeting of school district representatives, by March 31, to receive their count of available spaces for out-of-district students for the upcoming school year. It retains the requirement under current law that RESCs provide an annual count of these open spaces, by April 15, to SDE, but allows them to collect the numbers by any means they choose.

### **BACKGROUND**

**DPI**

A school district's DPI is its students' weighted performance on the statewide mastery tests in (1) reading, writing, and mathematics in grades three through eight and 10, and (2) 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 the weighted student scores for each subject;
3. multiplying the aggregate student results in each subject by 30% for mathematics, reading, and writing and 10% for science; and
4. adding the weighted subject scores.

The weightings produce the lowest indexes for districts with the lowest test scores.

**COMMITTEE ACTION**

Education Committee

Joint Favorable Substitute

Yea 26 Nay 0 (03/28/2013)