



# Senate

General Assembly

**File No. 269**

January Session, 2013

Senate Bill No. 996

*Senate, April 2, 2013*

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

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

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

1 Section 1. Subsection (b) of section 4-124z of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective from*  
3 *passage*):

4 (b) Not later than January 1, 2002, and annually thereafter, the  
5 Commissioner of Education shall report, in accordance with section 11-  
6 4a, to the joint standing committees of the General Assembly having  
7 cognizance of matters relating to education, commerce, labor and  
8 higher education and employment advancement on (1) the  
9 implementation of any recommended programs or strategies within  
10 the technical high school system or the community-technical college  
11 system to strengthen the linkage between [vocational-technical]  
12 technical high school and community-technical college certification  
13 and degree programs and the employment needs of business and

14 industry, and (2) any certification or degree programs offered by  
15 technical high schools or community-technical colleges that do not  
16 meet current industry standards.

17 Sec. 2. Section 7-127f of the general statutes is repealed and the  
18 following is substituted in lieu thereof (*Effective from passage*):

19 Grantees shall submit to the Department of Education on an annual  
20 basis program and financial reports on such forms as the [office]  
21 department may require. In accordance with the provisions of sections  
22 4-230 to 4-236, inclusive, and regulations adopted thereunder, each  
23 grantee shall file an appropriate audit of grant funds with the  
24 department on or before December first of the fiscal year following the  
25 grant year.

26 Sec. 3. Subsection (d) of section 8-210 of the general statutes is  
27 repealed and the following is substituted in lieu thereof (*Effective from*  
28 *passage*):

29 (d) The state, acting by and in the discretion of the Commissioner of  
30 Education, may enter into a contract with a municipality, a human  
31 resource development agency or a nonprofit corporation for state  
32 financial assistance for a project of renovation of any child day care  
33 facility receiving assistance pursuant to the provisions of this section,  
34 to make such facility accessible to the physically disabled, in the form  
35 of a state grant-in-aid equal to (1) the total net cost of the project as  
36 approved by the Commissioner of Education, or (2) the total amount  
37 by which the net cost of the project as approved by the Commissioner  
38 of Education exceeds the federal grant-in-aid thereof.

39 Sec. 4. Subsection (a) of section 10-5 of the general statutes is  
40 repealed and the following is substituted in lieu thereof (*Effective from*  
41 *passage*):

42 (a) The Commissioner of Education shall, in accordance with this  
43 section, issue a state high school diploma to any person (1) who  
44 successfully completes an examination approved by the commissioner,

45 or (2) who (A) is seventeen years of age and has been officially  
46 withdrawn from school in accordance with the provisions of section  
47 10-184 or is eighteen years of age or older, and (B) presents to the  
48 commissioner evidence demonstrating educational qualifications  
49 which the commissioner deems equivalent to those required for  
50 graduation from a public high school. Application for such a diploma  
51 shall be made in the manner and form prescribed by the commissioner  
52 provided, at the time of application to take the examination described  
53 in subdivision (1) of this subsection, the applicant is seventeen years of  
54 age or older, has been officially withdrawn from school, in accordance  
55 with section 10-184, for at least six months and has been advised, in  
56 such manner as may be prescribed by the commissioner, of the other  
57 options for high school completion and other available educational  
58 programs. For good cause shown, the commissioner may allow a  
59 person who is sixteen years of age to apply to take the examination,  
60 provided the commissioner may not issue a state high school diploma  
61 to such person until the person has attained seventeen years of age.

62 Sec. 5. Subdivision (3) of subsection (d) of section 10-14u of the  
63 general statutes is repealed and the following is substituted in lieu  
64 thereof (*Effective from passage*):

65 (3) The principal of a school selected by the Commissioner of  
66 Education to participate in the intensive reading instruction program  
67 under this section shall notify the parent or guardian of any student in  
68 kindergarten to grade three, inclusive, who has been identified as  
69 being below proficiency in reading. Such notice shall be in writing and  
70 [include,] (A) include an explanation of why such student is below  
71 proficiency in reading, and (B) inform such parent or guardian that a  
72 remediation plan, as described in subdivision (2) of this subsection,  
73 will be developed for such student to provide supplemental reading  
74 instruction, including strategies for the parent or guardian to use at  
75 home with such student.

76 Sec. 6. Subdivision (1) of subsection (j) of section 10-66bb of the  
77 general statutes is repealed and the following is substituted in lieu

78 thereof (*Effective July 1, 2013*):

79 (j) (1) The governing council of a state or local charter school may  
80 apply to the State Board of Education for a waiver of the requirements  
81 of the enrollment lottery described in subdivision (8) of subsection (d)  
82 of this section, provided such state or local charter school has as its  
83 primary purpose the establishment of education programs designed to  
84 serve one or more of the following populations: (A) Students with a  
85 history of behavioral and social difficulties, (B) students identified as  
86 requiring special education, (C) students who are English language  
87 learners, or (D) students of a single gender.

88 Sec. 7. Subsection (d) of section 10-73a of the general statutes is  
89 repealed and the following is substituted in lieu thereof (*Effective from*  
90 *passage*):

91 (d) The board of education of any providing school district may  
92 waive fees of any kind to a handicapped adult, as defined by the State  
93 Board of Education, or to a person sixty-two years of age or older  
94 registered for, or enrolled in, adult programs, classes or activities  
95 permitted by subparagraph (B) of subsection (a) of section 10-69,  
96 provided such board may charge a cooperating school district (1) a  
97 registration fee for any handicapped adult or any person sixty-two  
98 years of age or older who is a resident of such cooperating district and  
99 who is enrolled, through cooperative arrangements approved by the  
100 State Board of Education, in any adult class or program of adult classes  
101 maintained by such providing school district and required under  
102 section 10-69; and (2) a charge for any books or materials furnished to  
103 any such person for use in any adult class or activity or program of  
104 adult classes or activities required under section 10-69 or permitted by  
105 subparagraph (B) of subsection (a) of section 10-69.

106 Sec. 8. Subsection (f) of section 10-145o of the general statutes is  
107 repealed and the following is substituted in lieu thereof (*Effective from*  
108 *passage*):

109 (f) Local and regional boards of education, in cooperation with the

110 Department of Education, institutions of higher education and regional  
111 educational service centers, shall recruit mentors for their teacher  
112 education and mentoring program. Those persons eligible to serve as  
113 mentors for such programs shall hold a provisional educator certificate  
114 or a professional educator certificate, or a distinguished educator  
115 designation [ ] pursuant to section 10-145s, as amended by this act, and  
116 have at least three years teaching experience in Connecticut, including  
117 at least one year of experience in the district in which they are  
118 presently employed. Retired certified teachers may also serve as  
119 mentors, provided they successfully complete a mentor training  
120 program offered by a regional educational service center. Each mentor  
121 shall be assigned two beginning teachers, except that in certain  
122 circumstances, a mentor may be assigned three beginning teachers.  
123 Such assignment shall be reflected in each district's three-year plan.  
124 Each mentor shall provide fifty contact hours to each beginning  
125 teacher during the program, with the expectation of approximately ten  
126 contact hours per module. Mentors shall receive a minimum of a five-  
127 hundred-dollar annual stipend for each beginning teacher assigned to  
128 such mentor from the local or regional board of education for  
129 participation in the teacher education and mentoring program. Such  
130 stipend shall be included in a person's total earnings for purposes of  
131 retirement.

132 Sec. 9. Section 10-145s of the general statutes is repealed and the  
133 following is substituted in lieu thereof (*Effective from passage*):

134 (a) The State Board of Education shall award, upon receipt of a  
135 proper application, a distinguished educator designation to any person  
136 who (1) has successfully completed not less than five years of teaching  
137 in a public school or private special education facility approved by the  
138 State Board of Education, (2) holds a professional educator certificate,  
139 pursuant to section 10-145b, (3) has additional, advanced education  
140 beyond a master's degree from a degree or nondegree granting  
141 institution in areas to include, but not be limited to, mentorship or  
142 coaching of teachers, and (4) meets the performance requirements  
143 established by the Department of Education with consideration given

144 to the demonstration of distinguished practice as validated by the  
145 department or an entity approved by the department.

146 (b) Such designation shall be renewed every five years after  
147 issuance upon the demonstration that such person meets performance  
148 requirements established by the department with consideration given  
149 to the demonstration of distinguished practice as validated by the  
150 department or an entity approved by the department.

151 (c) Upon application to the State Board of Education for the  
152 designation as a distinguished educator there shall be paid to the  
153 board by or on behalf of the applicant a [nonreturnable] nonrefundable  
154 fee of two hundred dollars. With each request for a duplicate copy of  
155 such designation there shall be paid to the board a [nonreturnable]  
156 nonrefundable fee of fifty dollars. The Commissioner of Education  
157 may, upon request by the applicant, waive any fee required under this  
158 subsection if the commissioner determines that the applicant is unable  
159 to pay such fee due to extenuating circumstances.

160 Sec. 10. Subsection (d) of section 10-148a of the general statutes is  
161 repealed and the following is substituted in lieu thereof (*Effective from*  
162 *passage*):

163 (d) The Department of Education shall conduct audits of the  
164 professional development programs provided by local and regional  
165 boards of education. If the State Board of Education determines, based  
166 on such audit, that a local or regional board of education is not in  
167 compliance with any provision of this section, the State Board of  
168 Education may require the local or regional board of education to  
169 forfeit [of] the total sum which is paid to such board of education from  
170 the State Treasury in an amount determined by the State Board of  
171 Education. The amount so forfeited shall be withheld from a grant  
172 payment, as determined by the Commissioner of Education, during  
173 the fiscal year following the fiscal year in which noncompliance is  
174 determined. The State Board of Education may waive such forfeiture if  
175 the State Board of Education determines that the failure of the local or  
176 regional board of education to comply with the provisions of this

177 section was due to circumstances beyond its control.

178 Sec. 11. Subsection (a) of section 10-148b of the general statutes is  
179 repealed and the following is substituted in lieu thereof (*Effective from*  
180 *passage*):

181 (a) On or before July 1, 2013, the Commissioner of Education shall  
182 create a program of professional development for teachers, as defined  
183 in section 10-144d, and principals in scientifically-based reading  
184 research and instruction, as defined in section 10-14u, as amended by  
185 this act. Such program of professional development shall (1) count  
186 towards the professional development requirements pursuant to  
187 section 10-148a, as amended by this act, (2) be based on data collected  
188 from student reading assessments, (3) provide differentiated and  
189 intensified training in reading instruction for teachers, (4) outline how  
190 mentor teachers [who] will train teachers in reading instruction, (5)  
191 outline how model classrooms will be established in schools for  
192 reading instruction, (6) inform principals on how to evaluate  
193 classrooms and teacher performance in scientifically-based reading  
194 research and instruction, and (7) be job-embedded and local whenever  
195 possible.

196 Sec. 12. Subsections (d) and (e) of section 10-151 of the general  
197 statutes, as amended by section 57 of public act 12-116, are repealed  
198 and the following is substituted in lieu thereof (*Effective July 1, 2014*):

199 (d) The contract of employment of a teacher who has attained tenure  
200 shall be continued from school year to school year, except that it may  
201 be terminated at any time for one or more of the following reasons: (1)  
202 Inefficiency, incompetence or ineffectiveness, provided, if a teacher is  
203 notified on or after July 1, 2014, that termination is under consideration  
204 due to incompetence or ineffectiveness, the determination of  
205 incompetence or ineffectiveness is based on evaluation of the teacher  
206 using teacher evaluation guidelines established pursuant to section 10-  
207 151b; (2) insubordination against reasonable rules of the board of  
208 education; (3) moral misconduct; (4) disability, as shown by competent  
209 medical evidence; (5) elimination of the position to which the teacher

210 was appointed or loss of a position to another teacher, if no other  
211 position exists to which such teacher may be appointed if qualified,  
212 provided such teacher, if qualified, shall be appointed to a position  
213 held by a teacher who has not attained tenure, and provided further  
214 that determination of the individual contract or contracts of  
215 employment to be terminated shall be made in accordance with either  
216 (A) a provision for a layoff procedure agreed upon by the board of  
217 education and the exclusive employees' representative organization, or  
218 (B) in the absence of such agreement, a written policy of the board of  
219 education; or (6) other due and sufficient cause. Nothing in this section  
220 or in any other section of the general statutes or of any special act shall  
221 preclude a board of education from making an agreement with an  
222 exclusive bargaining representative which contains a recall provision.  
223 Prior to terminating a contract, the superintendent shall give the  
224 teacher concerned a written notice that termination of such teacher's  
225 contract is under consideration and give such teacher a statement of  
226 the reasons for such consideration of termination. Not later than ten  
227 calendar days after receipt of written notice by the superintendent that  
228 contract termination is under consideration, such teacher may file with  
229 the local or regional board of education a written request for a hearing.  
230 A board of education may designate a subcommittee of three or more  
231 board members to conduct hearings and submit written findings and  
232 recommendations to the board for final disposition in the case of  
233 teachers whose contracts are terminated. Such hearing shall commence  
234 not later than fifteen calendar days after receipt of such request, unless  
235 the parties mutually agree to an extension, not to exceed fifteen  
236 calendar days (A) before the board of education or a subcommittee of  
237 the board, or (B) if indicated in such request or if designated by the  
238 board before an impartial hearing officer chosen by the teacher and the  
239 superintendent. If the parties are unable to agree upon the choice of a  
240 hearing officer not later than five calendar days after the decision to  
241 use a hearing officer, the hearing officer shall be selected with the  
242 assistance of the American Arbitration Association using its expedited  
243 selection process and in accordance with its rules for selection of a  
244 neutral arbitrator in grievance arbitration. If the hearing officer is not

245 selected with the assistance of such association after five days, the  
246 hearing shall be held before the board of education or a subcommittee  
247 of the board. When the reason for termination is incompetence or  
248 ineffectiveness, the hearing shall (i) address the question of whether  
249 the performance evaluation ratings of the teacher were determined in  
250 good faith in accordance with the program developed by the local or  
251 regional board of education pursuant to section 10-151b and were  
252 reasonable in light of the evidence presented, and (ii) be limited to  
253 twelve total hours of evidence and testimony, with each side allowed  
254 not more than six hours to present evidence and testimony except the  
255 board, subcommittee of the board or impartial hearing officer may  
256 extend the time period for evidence and testimony at the hearing when  
257 good cause is shown. Not later than forty-five calendar days after  
258 receipt of the request for a hearing, the subcommittee of the board or  
259 hearing officer, unless the parties mutually agree to an extension not to  
260 exceed fifteen calendar days, shall submit written findings and a  
261 recommendation to the board of education as to the disposition of the  
262 charges against the teacher and shall send a copy of such findings and  
263 recommendation to the teacher. The board of education shall give the  
264 teacher concerned its written decision not later than fifteen calendar  
265 days [of] after receipt of the written recommendation of the  
266 subcommittee or hearing officer. Each party shall share equally the fee  
267 of the hearing officer and all other costs incidental to the hearing. If the  
268 hearing is before the board of education, the board shall render its  
269 decision not later than fifteen calendar days after the close of such  
270 hearing and shall send a copy of its decision to the teacher. The  
271 hearing shall be public if the teacher so requests or the board,  
272 subcommittee or hearing officer so designates. The teacher concerned  
273 shall have the right to appear with counsel at the hearing, whether  
274 public or private. A copy of a transcript of the proceedings of the  
275 hearing shall be furnished by the board of education, upon written  
276 request by the teacher within fifteen days after the board's decision,  
277 provided the teacher shall assume the cost of any such copy. Nothing  
278 herein contained shall deprive a board of education or superintendent  
279 of the power to suspend a teacher from duty immediately when

280 serious misconduct is charged without prejudice to the rights of the  
281 teacher as otherwise provided in this section.

282 (e) Any teacher aggrieved by the decision of a board of education  
283 after a hearing as provided in subsection (d) of this section may appeal  
284 therefrom, not later than thirty calendar days [of] after such decision,  
285 to the Superior Court. Such appeal shall be made returnable to said  
286 court in the same manner as is prescribed for civil actions brought to  
287 said court. Any such appeal shall be a privileged case to be heard by  
288 the court as soon after the return day as is practicable. The board of  
289 education shall file with the court a copy of the complete transcript of  
290 the proceedings of the hearing and the minutes of board of education  
291 meetings relating to such termination, including the vote of the board  
292 on the termination, together with such other documents, or certified  
293 copies thereof, as shall constitute the record of the case. The court,  
294 upon such appeal, shall review the proceedings of such hearing. The  
295 court, upon such appeal and hearing thereon, may affirm or reverse  
296 the decision appealed from in accordance with subsection (j) of section  
297 4-183. Costs shall not be allowed against the board of education unless  
298 it appears to the court that it acted with gross negligence or in bad  
299 faith or with malice in making the decision appealed from.

300 Sec. 13. Subsections (a) and (b) of section 10-151f of the general  
301 statutes are repealed and the following is substituted in lieu thereof  
302 (*Effective from passage*):

303 (a) For the school year commencing July 1, 2012, the Commissioner  
304 of Education shall administer a teacher evaluation and support pilot  
305 program. Not later than June 1, 2012, the commissioner shall select, in  
306 accordance with the provisions of subsection (d) of this section, at least  
307 eight school districts or consortia of school districts, but not more than  
308 ten school districts or consortia of school districts, to participate in a  
309 teacher evaluation and support program based on the guidelines  
310 adopted pursuant to subsection (c) of section 10-151b. For purposes of  
311 this section, [the term] "teacher" [shall include] includes each  
312 professional employee of a board of education, below the rank of

313 superintendent, who holds a certificate or permit issued by the State  
314 Board of Education.

315 (b) The teacher evaluation and support pilot program described in  
316 [subdivision (1) of] subsection (a) of this section shall (1) assess and  
317 evaluate the implementation of a teacher evaluation and support  
318 program developed by a local or regional board of education pursuant  
319 to subsection (b) of section 10-151b that is in compliance with the  
320 guidelines for a teacher evaluation and support program adopted  
321 pursuant to subsection (c) of section 10-151b, (2) identify district needs  
322 for technical assistance and support in implementing such teacher  
323 evaluation and support program, (3) provide training to  
324 administrators in how to conduct performance evaluations under the  
325 teacher evaluation and support program, (4) provide orientation to  
326 teachers being evaluated under the teacher evaluation and support  
327 program, (5) include a validation process for performance evaluations  
328 to be conducted by the Department of Education, or the department's  
329 designee, and (6) provide funding for the administration of the teacher  
330 evaluation and support program developed by the local or regional  
331 board of education.

332 Sec. 14. Section 10-151h of the general statutes is repealed and the  
333 following is substituted in lieu thereof (*Effective from passage*):

334 Prior to the implementation of the teacher evaluation and support  
335 program developed pursuant to subsection (b) of section 10-151b, but  
336 not later than July 1, 2014, each local and regional board of education  
337 shall conduct training programs for all evaluators and orientation for  
338 all teachers employed by such board relating to the provisions of such  
339 teacher evaluation and support program developed by such board of  
340 education. Such training shall provide instruction to evaluators in how  
341 to conduct proper performance evaluations prior to conducting an  
342 evaluation under the teacher evaluation and support program. Such  
343 orientation shall be completed by each teacher before a teacher  
344 receives an evaluation under the teacher evaluation and support  
345 program. For purposes of this section, [the term] "teacher" [shall

346 include] includes each professional employee of a board of education,  
347 below the rank of superintendent, who holds a certificate or permit  
348 issued by the State Board of Education.

349 Sec. 15. Subsection (d) of section 10-212a of the general statutes is  
350 repealed and the following is substituted in lieu thereof (*Effective from*  
351 *passage*):

352 (d) (1) With the written authorization of a student's parent or  
353 guardian, and (2) pursuant to the written order of [the student's] (A) a  
354 physician licensed under chapter 370, (B) an optometrist licensed to  
355 practice optometry under chapter 380, (C) an advanced practice  
356 registered nurse licensed to prescribe in accordance with section 20-  
357 94a, or (D) a physician assistant licensed to prescribe in accordance  
358 with section 20-12d, a school nurse and a school medical advisor may  
359 jointly approve and provide general supervision to an identified  
360 school paraprofessional to administer medication, including, but not  
361 limited to, medication administered with a cartridge injector, to a  
362 specific student with a medically diagnosed allergic condition that  
363 may require prompt treatment in order to protect the student against  
364 serious harm or death. For purposes of this subsection, "cartridge  
365 injector" means an automatic prefilled cartridge injector or similar  
366 automatic injectable equipment used to deliver epinephrine in a  
367 standard dose for emergency first aid response to allergic reactions.

368 Sec. 16. Section 10-212e of the general statutes is repealed and the  
369 following is substituted in lieu thereof (*Effective from passage*):

370 No claim for damages shall be made against a town, local or  
371 regional board of education or school employee, as defined in section  
372 10-222d, for any injury or damage resulting from the provision of food  
373 or dietary supplements by a parent or guardian, or a person  
374 designated by such parent or guardian, on school grounds to a student  
375 with glycogen storage disease [on school grounds] under an  
376 individualized health care and glycogen storage disease action plan,  
377 pursuant to section 10-212c.

378 Sec. 17. Subsection (a) of section 10-220a of the general statutes is  
379 repealed and the following is substituted in lieu thereof (*Effective from*  
380 *passage*):

381 (a) Each local or regional board of education shall provide an in-  
382 service training program for its teachers, administrators and pupil  
383 personnel who hold the initial educator, provisional educator or  
384 professional educator certificate. Such program shall provide such  
385 teachers, administrators and pupil personnel with information on (1)  
386 the nature and the relationship of drugs, as defined in subdivision (17)  
387 of section 21a-240, and alcohol to health and personality development,  
388 and procedures for discouraging their abuse, (2) health and mental  
389 health risk reduction education which includes, but need not be  
390 limited to, the prevention of risk-taking behavior by children and the  
391 relationship of such behavior to substance abuse, pregnancy, sexually  
392 transmitted diseases, including HIV-infection and AIDS, as defined in  
393 section 19a-581, violence, teen dating violence, domestic violence, child  
394 abuse and youth suicide, (3) the growth and development of  
395 exceptional children, including handicapped and gifted and talented  
396 children and children who may require special education, including,  
397 but not limited to, children with attention-deficit hyperactivity  
398 disorder or learning disabilities, and methods for identifying, planning  
399 for and working effectively with special needs children in a regular  
400 classroom, including, but not limited to, implementation of student  
401 individualized education programs, (4) school violence prevention,  
402 conflict resolution, the prevention of and response to youth suicide  
403 and the identification and prevention of and response to bullying, as  
404 defined in subsection (a) of section 10-222d, except that those boards of  
405 education that implement any evidence-based model approach that is  
406 approved by the Department of Education and is consistent with  
407 subsection (d) of section 10-145a, subsection (a) of section 10-220a, as  
408 amended by this act, sections 10-222d, 10-222g and 10-222h, subsection  
409 (g) of section 10-233c and sections 1 and 3 of public act 08-160, shall not  
410 be required to provide in-service training on the identification and  
411 prevention of and response to bullying, (5) cardiopulmonary  
412 resuscitation and other emergency life saving procedures, (6) computer

413 and other information technology as applied to student learning and  
414 classroom instruction, communications and data management, (7) the  
415 teaching of the language arts, reading and reading readiness for  
416 teachers in grades kindergarten to three, inclusive, (8) second language  
417 acquisition in districts required to provide a program of bilingual  
418 education pursuant to section 10-17f, (9) the requirements and  
419 obligations of a mandated reporter, and (10) the teacher evaluation and  
420 support program developed pursuant to subsection (b) of section 10-  
421 151b. Each local and regional board of education may allow any  
422 paraprofessional or noncertified employee to participate, on a  
423 voluntary basis, in any in-service training program provided pursuant  
424 to this section. [, and (10) the teacher evaluation and support program  
425 developed pursuant to subsection (b) of section 10-151b.] The State  
426 Board of Education, within available appropriations and utilizing  
427 available materials, shall assist and encourage local and regional  
428 boards of education to include: (A) Holocaust and genocide education  
429 and awareness; (B) the historical events surrounding the Great Famine  
430 in Ireland; (C) African-American history; (D) Puerto Rican history; (E)  
431 Native American history; (F) personal financial management; (G)  
432 domestic violence and teen dating violence; and (H) topics approved  
433 by the state board upon the request of local or regional boards of  
434 education as part of in-service training programs pursuant to this  
435 subsection.

436 Sec. 18. Subsection (c) of section 10-223h of the general statutes is  
437 repealed and the following is substituted in lieu thereof (*Effective from*  
438 *passage*):

439 (c) Following the establishment of a turnaround committee, the  
440 Department of Education shall conduct, in consultation with the local  
441 or regional board of education for a school selected to participate in the  
442 commissioner's network of schools, the school governance council for  
443 such school and such turnaround committee, an operations and  
444 instructional audit, as described in subparagraph (A) of subdivision (2)  
445 of subsection (e) of section 10-223e, for such school. Such operations  
446 and instructional audit shall be conducted pursuant to guidelines

447 issued by the department and shall determine the extent to which the  
448 school (1) has established a strong family and community connection  
449 to the school; (2) has a positive school environment, as evidenced by a  
450 culture of high expectations, a safe and orderly workplace, and that  
451 address other nonacademic factors that impact student achievement,  
452 such as students' social, emotional, arts, cultural, recreational and  
453 health needs; (3) has effective leadership, as evidenced by the school  
454 principal's performance appraisals, track record in improving student  
455 achievement, ability to lead turnaround efforts, and managerial skills  
456 and authority in the areas of scheduling, staff management,  
457 curriculum implementation and budgeting; (4) has effective teachers  
458 and support staff as evidenced by performance evaluations, policies to  
459 retain staff determined to be effective and who have the ability to be  
460 successful in the turnaround effort, policies to prevent ineffective  
461 teachers from transferring to the schools, and job-embedded, ongoing  
462 professional development informed by the teacher evaluation and  
463 support programs that are tied to teacher and student needs; (5) uses  
464 time effectively as evidenced by the redesign of the school day, week,  
465 or year to include additional time for student learning and teacher  
466 collaboration; (6) has a curriculum and instructional program that is  
467 based on student needs, is research-based, rigorous and aligned with  
468 state academic content standards, and serves all children, including  
469 students at every achievement level; and (7) uses evidence to inform  
470 decision-making and for continuous improvement, including by  
471 providing time for collaboration on the use of data. Such operations  
472 and instructional audit shall be informed by an inventory of the  
473 following: (A) Before and after school programs, (B) any school-based  
474 health centers, family resource centers or other community services  
475 offered at the school, including, but not limited to, social services,  
476 mental health services and parenting support programs, (C) whether  
477 scientific research-based interventions are being fully implemented at  
478 the school, (D) resources for scientific research-based interventions  
479 during the school year and summer school programs, (E) resources for  
480 gifted and talented students, (F) the length of the school day and the  
481 school year, (G) summer school programs, (H) the alternative high

482 school, if any, available to students at the school, (I) the number of  
483 teachers employed at the school and the number of teachers who have  
484 left the school in each of the previous three school years, (J) student  
485 mobility, including the number of students who have been enrolled in  
486 and left the school, (K) the number of students whose primary  
487 language is not English, (L) the number of students receiving special  
488 education services, (M) the number of truants, (N) the number of  
489 students who are eligible for free or reduced price lunches, (O) the  
490 number of students who are eligible for HUSKY Plan, Part A, (P) the  
491 curricula used at the school, (Q) the reading curricula and programs  
492 for kindergarten to grade three, inclusive, if any, at the school, (R) arts  
493 and music programs offered at the school, (S) physical education  
494 programs offered and periods for recess or physical activity, (T) the  
495 number of school psychologists at the school and the ratio of school  
496 psychologists to students at the school, (U) the number of social  
497 workers at the school and the ratio of social workers to students at the  
498 school, (V) the teacher and administrator performance evaluation  
499 program, including the frequency of performance evaluations, how  
500 such evaluations are conducted and by whom, the standards for  
501 performance ratings and follow-up and remediation plans and the  
502 aggregate results of teacher performance evaluation ratings conducted  
503 pursuant to section 10-151b and any other available measures of  
504 teacher effectiveness, (W) professional development activities and  
505 programs, (X) teacher and student access to technology inside and  
506 outside of the classroom, (Y) student access to and enrollment in  
507 mastery test preparation programs, (Z) the availability of textbooks,  
508 learning materials and other supplies, (AA) student demographics,  
509 including race, gender and ethnicity, [and] (BB) chronic absenteeism,  
510 and (CC) preexisting school improvement plans, for the purpose of (i)  
511 determining why such school improvement plans have not improved  
512 student academic performance, and (ii) identifying governance, legal,  
513 operational, staffing or resource constraints that contributed to the lack  
514 of student academic performance at such school and should be  
515 addressed, modified or removed for such school to improve student  
516 academic performance.

517 Sec. 19. Subdivision (3) of subsection (b) of section 10-223j of the  
518 general statutes is repealed and the following is substituted in lieu  
519 thereof (*Effective from passage*):

520 (3) Terms of voting members elected pursuant to this [subdivision]  
521 subsection shall be for two years and no members shall serve more  
522 than two terms on the council. The nonvoting student members shall  
523 serve one year and no student member shall serve more than two  
524 terms on the council.

525 Sec. 20. Subsection (d) of section 10-223j of the general statutes is  
526 repealed and the following is substituted in lieu thereof (*Effective from*  
527 *passage*):

528 (d) The school governance council shall have the following  
529 responsibilities: (1) Analyzing school achievement data and school  
530 needs relative to the improvement plan for the school prepared  
531 pursuant to this section; (2) reviewing the fiscal objectives of the draft  
532 budget for the school and providing advice to the principal of the  
533 school before such school's budget is submitted to the superintendent  
534 of schools for the district; (3) participating in the hiring process [of] for  
535 the school principal or other administrators of the school by  
536 conducting interviews of candidates and reporting on such interviews  
537 to the superintendent of schools for the school district and the local  
538 and regional board of education; (4) assisting the principal of the  
539 school in making programmatic and operational changes for  
540 improving the school's achievement, including program changes,  
541 adjusting school hours and days of operation, and enrollment goals for  
542 the school; (5) working with the school administration to develop and  
543 approve a school compact for parents, legal guardians and students  
544 that includes an outline of the criteria and responsibilities for  
545 enrollment and school membership consistent with the school's goals  
546 and academic focus, and the ways that parents and school personnel  
547 can build a partnership to improve student learning; (6) developing  
548 and approving a written parent involvement policy that outlines the  
549 role of parents and legal guardians in the school; (7) utilizing records

550 relating to information about parents and guardians of students  
551 maintained by the local or regional board of education for the sole  
552 purpose of the election described in subsection (b) of this section. Such  
553 information shall be confidential and shall only be disclosed as  
554 provided in this subdivision and shall not be further disclosed; and (8)  
555 if the council determines it necessary and subject to the provisions of  
556 subsection (i) of this section recommending reconstitution of the school  
557 in accordance with the provisions of subsection (g) of this section.

558 Sec. 21. Subsection (i) of section 10-223j of the general statutes is  
559 repealed and the following is substituted in lieu thereof (*Effective from*  
560 *passage*):

561 (i) The Department of Education shall allow not more than twenty-  
562 five schools per school year to reconstitute pursuant to this  
563 [subsection] section. The department shall notify school districts and  
564 school governance councils when this limit has been reached. For  
565 purposes of this [subdivision] subsection, a reconstitution shall be  
566 counted towards this limit upon receipt by the department of  
567 notification of a final decision regarding reconstitution by the local or  
568 regional board of education.

569 Sec. 22. Section 10-262t of the general statutes is repealed and the  
570 following is substituted in lieu thereof (*Effective from passage*):

571 The Commissioner of Education may provide, within available  
572 appropriations, grants for technical assistance and regional  
573 cooperation to support any local or regional [boards] board of  
574 education that develops a plan to implement significant cost-saving  
575 strategies while simultaneously maintaining or improving the quality  
576 of education in the district.

577 Sec. 23. Subsection (g) of section 10-262u of the general statutes is  
578 repealed and the following is substituted in lieu thereof (*Effective from*  
579 *passage*):

580 (g) Any local or regional board of education receiving funding

581 under this section shall submit an annual expenditure report to the  
582 commissioner on such form and in such manner as requested by the  
583 commissioner. The commissioner shall determine if [(A)] (1) the local  
584 or regional board of education shall repay any funds not expended in  
585 accordance with the approved application, or [(B)] (2) such funding  
586 should be reduced in a subsequent fiscal year up to an amount equal to  
587 the amount that the commissioner determines is out of compliance  
588 with the provisions of this subsection.

589 Sec. 24. Subsection (a) of section 10-264h of the general statutes is  
590 repealed and the following is substituted in lieu thereof (*Effective from*  
591 *passage*):

592 (a) For the fiscal year ending June 30, 2012, and each fiscal year  
593 thereafter, a local or regional board of education, a regional  
594 educational service center, a cooperative arrangement pursuant to  
595 section 10-158a, or any of the following entities that operate an  
596 interdistrict magnet school that assists the state in meeting the goals of  
597 the 2008 stipulation and order for Milo Sheff, et al. v. William A.  
598 O'Neill, et al., as determined by the Commissioner of Education: (1)  
599 The Board of Trustees of the Community-Technical Colleges on behalf  
600 of a regional community-technical college, (2) the Board of Trustees of  
601 the Connecticut State University System on behalf of a state university,  
602 (3) the Board of Trustees for The University of Connecticut on behalf of  
603 the university, (4) the board of governors for an independent college or  
604 university, as defined in section 10a-37, or the equivalent of such a  
605 board, on behalf of the independent college or university, and (5) any  
606 other third-party not-for-profit corporation approved by the  
607 Commissioner of Education, may be eligible for reimbursement, except  
608 as otherwise provided for, up to eighty per cent of the eligible cost of  
609 any capital expenditure for the purchase, construction, extension,  
610 replacement, leasing or major alteration of interdistrict magnet school  
611 facilities, including any expenditure for the purchase of equipment, in  
612 accordance with this section. To be eligible for reimbursement under  
613 this section a magnet school construction project shall meet the  
614 requirements for a school building project established in chapter 173,

615 except that the Commissioner of Construction Services, in consultation  
616 with the Commissioner of Education, may waive any requirement in  
617 [such] said chapter for good cause. On and after July 1, 2011, the  
618 Commissioner of Construction Services shall approve only  
619 applications for reimbursement under this section that the  
620 Commissioner of Education finds will reduce racial, ethnic and  
621 economic isolation. Applications for reimbursement under this section  
622 for the construction of new interdistrict magnet schools shall not be  
623 accepted until the Commissioner of Education develops a  
624 comprehensive state-wide interdistrict magnet school plan, in  
625 accordance with the provisions of subdivision (1) of subsection (b) of  
626 section 10-264l, unless the Commissioner of Education determines that  
627 such construction will assist the state in meeting the goals of the 2008  
628 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al.

629 Sec. 25. Subdivision (1) of subsection (a) of section 10-264i of the  
630 general statutes is repealed and the following is substituted in lieu  
631 thereof (*Effective from passage*):

632 (a) (1) (A) A local or regional board of education, (B) a regional  
633 educational service center, (C) the Board of Trustees of the  
634 Community-Technical Colleges on behalf of Quinebaug Valley  
635 Community College and Three Rivers Community College, (D) a  
636 cooperative arrangement pursuant to section 10-158a, or (E) to assist  
637 the state in meeting the goals of the 2008 stipulation and order for Milo  
638 Sheff, et al. v. William A. O'Neill, et al., as determined by the  
639 Commissioner of Education, (i) the Board of Trustees of the  
640 Community-Technical Colleges on behalf of a regional community-  
641 technical college, (ii) the Board of Trustees of the Connecticut State  
642 University System on behalf of a state university, (iii) the Board of  
643 Trustees for The University of Connecticut on behalf of the university,  
644 (iv) the board of governors for an independent college or university, as  
645 defined in section 10a-37, or the equivalent of such a board, on behalf  
646 of the independent college or university, and (v) any other third-party  
647 not-for-profit corporation approved by the commissioner which  
648 transports a child to an interdistrict magnet school program, as defined

649 in section 10-264l, as amended by this act, in a town other than the  
650 town in which the child resides shall be eligible pursuant to section 10-  
651 264e to receive a grant for the cost of transporting such child in  
652 accordance with this section.

653 Sec. 26. Subparagraphs (A) and (B) of subdivision (3) of subsection  
654 (c) of section 10-264l of the general statutes are repealed and the  
655 following is substituted in lieu thereof (*Effective from passage*):

656 (3) (A) Except as otherwise provided in subparagraphs (C) to (F),  
657 inclusive, of this subdivision, each interdistrict magnet school operated  
658 by a regional educational service center that enrolls less than fifty-five  
659 per cent of the school's students from a single town shall receive a per  
660 pupil grant in the amount of (i) six thousand two hundred fifty dollars  
661 for the fiscal year ending June 30, 2006, (ii) six thousand five hundred  
662 dollars for the fiscal year ending June 30, 2007, (iii) seven thousand  
663 sixty dollars for the fiscal year ending June 30, 2008, (iv) seven  
664 thousand six hundred twenty dollars for the fiscal [year] years ending  
665 June 30, 2009, to June 30, 2012, inclusive, and (v) seven thousand nine  
666 hundred dollars for the fiscal year ending June 30, 2013, and each fiscal  
667 year thereafter.

668 (B) Except as otherwise provided in subparagraphs (C) to (F),  
669 inclusive, of this subdivision, each interdistrict magnet school operated  
670 by a regional educational service center that enrolls at least fifty-five  
671 per cent of the school's students from a single town shall receive a per  
672 pupil grant for each enrolled student who is not a resident of the  
673 district that enrolls at least fifty-five per cent of the school's students in  
674 the amount of (i) six thousand sixteen dollars for the fiscal year ending  
675 June 30, 2008, (ii) six thousand seven hundred thirty dollars for the  
676 fiscal [year] years ending June 30, 2009, to June 30, 2012, inclusive, and  
677 (iii) seven thousand eighty-five dollars for the fiscal year ending June  
678 30, 2013, and each fiscal year thereafter. The per pupil grant for each  
679 enrolled student who is a resident of the district that enrolls at least  
680 fifty-five per cent of the school's students shall be three thousand  
681 dollars.

682 Sec. 27. Section 10-265o of the general statutes is repealed and the  
683 following is substituted in lieu thereof (*Effective from passage*):

684 For the fiscal year ending June 30, 2014, and each fiscal year  
685 thereafter, the Department of Education shall establish the municipal  
686 aid for new educators grant program. On or before March first of each  
687 year, the program shall, within available appropriations, provide  
688 grants of up to two hundred thousand dollars to the local or regional  
689 board of education for an educational reform district, as defined in  
690 section 10-262u, as amended by this act, for the purpose of extending  
691 offers of employment to up to five students who are enrolled in a  
692 teacher preparation program offered by a public or private institution  
693 of higher education in the state, [who] are graduating seniors and are  
694 academically in the top ten per cent of their graduating class.

695 Sec. 28. Section 11-89 of the general statutes is repealed and the  
696 following is substituted in lieu thereof (*Effective from passage*):

697 The State Librarian shall adopt regulations, in accordance with the  
698 provisions of chapter 54, to (1) prescribe the form of written  
699 notification to persons loaning property pursuant to section 11-81, and  
700 (2) establish the procedures for recording and maintaining records of  
701 property on loan to a museum pursuant to section 11-83.

702 Sec. 29. Subdivision (4) of subsection (j) of section 46b-129 of the  
703 general statutes is repealed and the following is substituted in lieu  
704 thereof (*Effective from passage*):

705 (4) The commissioner shall be the guardian of such child or youth  
706 for the duration of the commitment, provided the child or youth has  
707 not reached the age of eighteen years or, in the case of a child or youth  
708 in full-time attendance in a secondary school, a technical high school, a  
709 college or a state-accredited job training program, provided such child  
710 or youth has not reached the age of twenty-one years, by consent of  
711 such child or youth, or until another guardian has been legally  
712 appointed, and in like manner, upon such vesting of the care of such  
713 child or youth, such other public or private agency or individual shall

714 be the guardian of such child or youth until such child or youth has  
 715 reached the age of eighteen years or, in the case of a child or youth in  
 716 full-time attendance in a secondary school, a technical high school, a  
 717 college or a state-accredited job training program, until such child or  
 718 youth has reached the age of twenty-one years or until another  
 719 guardian has been legally appointed. The commissioner may place any  
 720 child or youth so committed to the commissioner in a suitable foster  
 721 home or in the home of a person related by blood or marriage to such  
 722 child or youth or in a licensed child-caring institution or in the care  
 723 and custody of any accredited, licensed or approved child-caring  
 724 agency, within or without the state, provided a child shall not be  
 725 placed outside the state except for good cause and unless the parents  
 726 or guardian of such child are notified in advance of such placement  
 727 and given an opportunity to be heard, or in a receiving home  
 728 maintained and operated by the Commissioner of Children and  
 729 Families. In placing such child or youth, the commissioner shall, if  
 730 possible, select a home, agency, institution or person of like religious  
 731 faith to that of a parent of such child or youth, if such faith is known or  
 732 may be ascertained by reasonable inquiry, provided such home  
 733 conforms to the standards of said commissioner and the commissioner  
 734 shall, when placing siblings, if possible, place such children together.  
 735 Upon the issuance of an order committing the child or youth to the  
 736 Commissioner of Children and Families, or not later than sixty days  
 737 after the issuance of such order, the court shall determine whether the  
 738 Department of Children and Families made reasonable efforts to keep  
 739 the child or youth with his or her parents or guardian prior to the  
 740 issuance of such order and, if such efforts were not made, whether  
 741 such reasonable efforts were not possible, taking into consideration the  
 742 child's or youth's best interests, including the child's or youth's health  
 743 and safety.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	4-124z(b)
Sec. 2	<i>from passage</i>	7-127f

Sec. 3	<i>from passage</i>	8-210(d)
Sec. 4	<i>from passage</i>	10-5(a)
Sec. 5	<i>from passage</i>	10-14u(d)(3)
Sec. 6	<i>July 1, 2013</i>	10-66bb(j)(1)
Sec. 7	<i>from passage</i>	10-73a(d)
Sec. 8	<i>from passage</i>	10-145o(f)
Sec. 9	<i>from passage</i>	10-145s
Sec. 10	<i>from passage</i>	10-148a(d)
Sec. 11	<i>from passage</i>	10-148b(a)
Sec. 12	<i>July 1, 2014</i>	10-151(d) and (e)
Sec. 13	<i>from passage</i>	10-151f(a) and (b)
Sec. 14	<i>from passage</i>	10-151h
Sec. 15	<i>from passage</i>	10-212a(d)
Sec. 16	<i>from passage</i>	10-212e
Sec. 17	<i>from passage</i>	10-220a(a)
Sec. 18	<i>from passage</i>	10-223h(c)
Sec. 19	<i>from passage</i>	10-223j(b)(3)
Sec. 20	<i>from passage</i>	10-223j(d)
Sec. 21	<i>from passage</i>	10-223j(i)
Sec. 22	<i>from passage</i>	10-262t
Sec. 23	<i>from passage</i>	10-262u(g)
Sec. 24	<i>from passage</i>	10-264h(a)
Sec. 25	<i>from passage</i>	10-264i(a)(1)
Sec. 26	<i>from passage</i>	10-264l(c)(3)(A) and (B)
Sec. 27	<i>from passage</i>	10-265o
Sec. 28	<i>from passage</i>	11-89
Sec. 29	<i>from passage</i>	46b-129(j)(4)

**ED**      *Joint Favorable*

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.

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***OFA Fiscal Note******State Impact:*** None***Municipal Impact:*** None***Explanation***

The bill makes various technical changes, which are not anticipated to result in a fiscal impact.

***The Out Years******State Impact:*** None***Municipal Impact:*** None

**OLR Bill Analysis****SB 996*****AN ACT CONCERNING RECOMMENDATIONS BY THE LEGISLATIVE COMMISSIONERS FOR TECHNICAL REVISIONS TO THE EDUCATION STATUTES.*****SUMMARY:**

This bill makes numerous technical changes in the education statutes.

**EFFECTIVE DATE:** Upon passage except (1) the section regarding charter school enrollment lotteries is effective July 1, 2013 and (2) the section regarding teacher tenure and the termination process is effective July 1, 2014.

**COMMITTEE ACTION**

Education Committee

Joint Favorable

Yea 34 Nay 0 (03/13/2013)