



Senate

General Assembly

File No. 544

January Session, 2013

Substitute Senate Bill No. 1097

Senate, April 17, 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 substitute bill ought to pass.

AN ACT CONCERNING REVISIONS TO THE EDUCATION REFORM ACT OF 2012.

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

1 Section 1. Section 10-151b of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) [The] For the school year commencing July 1, 2013, and each
4 school year thereafter, the superintendent of each local or regional
5 board of education shall annually evaluate or cause to be evaluated
6 each teacher, in accordance with [guidelines established by the State
7 Board of Education, pursuant to subsection (c) of this section, and such
8 other guidelines as may be established by mutual agreement between
9 the local or regional board of education and the teachers'
10 representative chosen pursuant to section 10-153b] the teacher
11 evaluation and support program adopted pursuant to subsection (b) of
12 this section, and may conduct additional formative evaluations toward
13 producing an annual summative evaluation. An evaluation pursuant
14 to this subsection shall include, but need not be limited to, strengths,

15 areas needing improvement, strategies for improvement and multiple
16 indicators of student academic growth. Claims of failure to follow the
17 established procedures of such teacher evaluation and support
18 [programs] program shall be subject to the grievance procedure in
19 collective bargaining agreements negotiated subsequent to July 1, 2004.
20 In the event that a teacher does not receive a summative evaluation
21 during the school year, such teacher shall receive a "not rated"
22 designation for such school year. The superintendent shall report the
23 status of teacher evaluations to the local or regional board of education
24 on or before June first of each year. For purposes of this section, the
25 term "teacher" shall include each professional employee of a board of
26 education, below the rank of superintendent, who holds a certificate or
27 permit issued by the State Board of Education.

28 (b) (1) Except as provided in subsection (d) of this section, not later
29 than September 1, 2013, each local and regional board of education
30 shall [develop] adopt and implement a teacher evaluation [programs]
31 and support program. Such teacher evaluation and support program
32 shall be developed through mutual agreement with the professional
33 development and evaluation committee for the school district,
34 described in subsection (b) of section 10-220a, as amended by this act,
35 and be consistent with the guidelines adopted by the State Board of
36 Education, pursuant to subsection (c) of this section, and consistent
37 with the plan developed, [in accordance with the provisions of]
38 pursuant to subsection (b) of section 10-220a, as amended by this act. If
39 a local or regional board of education is unable to develop a teacher
40 evaluation and support program through mutual agreement with the
41 professional development and evaluation committee for the school
42 district, then such local or regional board of education and such
43 professional development and evaluation committee shall consider the
44 model teacher evaluation and support program, developed pursuant
45 to subsection (c) of this section, and such local or regional board of
46 education may adopt, through mutual agreement with such
47 professional development and evaluation committee, the model
48 teacher evaluation and support program. If a local or regional board of
49 education is unable to adopt the model teacher evaluation and support

50 program through mutual agreement with the professional
51 development and evaluation committee for the school district, then the
52 local or regional board of education shall adopt and implement a
53 teacher evaluation and support program developed by such local or
54 regional board of education, provided such teacher evaluation and
55 support program is consistent with the guidelines adopted by the State
56 Board of Education, pursuant to subsection (c) of this section, and
57 consistent with the plan developed, pursuant to subsection (b) of
58 section 10-220a, as amended by this act.

59 (2) Not later than June thirtieth of each year, each superintendent
60 shall report to the Commissioner of Education the status of the
61 implementation of the teacher [evaluations] evaluation and support
62 program, including the frequency of evaluations, aggregate evaluation
63 ratings, the number of teachers who have not been evaluated and other
64 requirements as determined by the Department of Education.

65 (c) (1) On or before July 1, 2012, the State Board of Education shall
66 adopt, in consultation with the Performance Evaluation Advisory
67 Council established pursuant to section 10-151d, as amended by this
68 act, guidelines for a model teacher evaluation and support program.
69 Such guidelines shall include, but not be limited to, [(1)] (A) the use of
70 four performance evaluations designators: Exemplary, proficient,
71 developing and below standard; [(2)] (B) the use of multiple indicators
72 of student academic growth and development in teacher evaluations;
73 [(3)] (C) methods for assessing student academic growth and
74 development; [(4)] (D) a consideration of control factors tracked by the
75 state-wide public school information system, pursuant to subsection
76 (c) of section 10-10a, that may influence teacher performance ratings,
77 including, but not limited to, student characteristics, student
78 attendance and student mobility; [(5)] (E) minimum requirements for
79 teacher evaluation instruments and procedures, including scoring
80 systems to determine exemplary, proficient, developing and below
81 standard ratings; [(6)] (F) the development and implementation of
82 periodic training programs regarding the teacher evaluation and
83 support program to be offered by the local or regional board of

84 education or regional educational service center for the school district
85 to teachers who are employed by such local or regional board of
86 education and whose performance is being evaluated and to
87 administrators who are employed by such local or regional board of
88 education and who are conducting performance evaluations; [(7)] (G)
89 the provision of professional development services based on the
90 individual or group of individuals' needs that are identified through
91 the evaluation process; [(8)] (H) the creation of individual teacher
92 improvement and remediation plans for teachers whose performance
93 is developing or below standard, designed in consultation with such
94 teacher and his or her exclusive bargaining representative for certified
95 teachers chosen pursuant to section 10-153b, and that [(A)] (i) identify
96 resources, support and other strategies to be provided by the local or
97 regional board of education to address documented deficiencies, [(B)]
98 (ii) indicate a timeline for implementing such resources, support, and
99 other strategies, in the course of the same school year as the plan is
100 issued, and [(C)] (iii) include indicators of success including a
101 summative rating of proficient or better immediately at the conclusion
102 of the improvement and remediation plan; [(9)] (I) opportunities for
103 career development and professional growth; and [(10)] (J) a validation
104 procedure to audit evaluation ratings of exemplary or below standard
105 by the department, or a third-party entity approved by the
106 department, to validate such exemplary or below standard evaluation
107 ratings. [The State Board of Education, following the completion of the
108 teacher evaluation and support pilot program, pursuant to section 10-
109 151f, and the submission of the study of such pilot program, pursuant
110 to section 10-151g, shall validate the guidelines adopted under this
111 subsection.]

112 (2) On or before July 1, 2013, the State Board of Education shall
113 adopt, in consultation with the Performance Evaluation Advisory
114 Council established pursuant to section 10-151d, as amended by this
115 act, a model teacher evaluation and support program that is consistent
116 with the guidelines adopted pursuant to subdivision (1) of this
117 subsection.

118 (d) The State Board of Education may waive the provisions of
119 subdivision (1) of subsection (b) of this section for any local or regional
120 board of education that has developed a teacher evaluation program
121 prior to [the validation of the model teacher evaluation and support
122 program guidelines described in subsection (c) of this section] July 1,
123 2013, and that the State Board of Education determines is in substantial
124 compliance with such model teacher evaluation and support program
125 guidelines.

126 (e) Not later than July 1, 2013, the State Board of Education shall
127 adopt, in consultation with the Performance Evaluation Advisory
128 Council, a teacher evaluation and support program implementation
129 plan. Such plan shall permit school districts to phase-in full
130 implementation of teacher evaluation and support programs, adopted
131 pursuant to subsection (b) of this section, during the school years
132 commencing July 1, 2013, and July 1, 2014.

133 Sec. 2. Subsections (a) and (b) of section 10-220a of the general
134 statutes are repealed and the following is substituted in lieu thereof
135 (*Effective from passage*):

136 (a) Each local or regional board of education shall provide an in-
137 service training program for its teachers, administrators and pupil
138 personnel who hold the initial educator, provisional educator or
139 professional educator certificate. Such program shall provide such
140 teachers, administrators and pupil personnel with information on (1)
141 the nature and the relationship of drugs, as defined in subdivision (17)
142 of section 21a-240, and alcohol to health and personality development,
143 and procedures for discouraging their abuse, (2) health and mental
144 health risk reduction education which includes, but need not be
145 limited to, the prevention of risk-taking behavior by children and the
146 relationship of such behavior to substance abuse, pregnancy, sexually
147 transmitted diseases, including HIV-infection and AIDS, as defined in
148 section 19a-581, violence, teen dating violence, domestic violence, child
149 abuse and youth suicide, (3) the growth and development of
150 exceptional children, including handicapped and gifted and talented

151 children and children who may require special education, including,
152 but not limited to, children with attention-deficit hyperactivity
153 disorder or learning disabilities, and methods for identifying, planning
154 for and working effectively with special needs children in a regular
155 classroom, including, but not limited to, implementation of student
156 individualized education programs, (4) school violence prevention,
157 conflict resolution, the prevention of and response to youth suicide
158 and the identification and prevention of and response to bullying, as
159 defined in subsection (a) of section 10-222d, except that those boards of
160 education that implement any evidence-based model approach that is
161 approved by the Department of Education and is consistent with
162 subsection (d) of section 10-145a, subsection (a) of section 10-220a, as
163 amended by this act, sections 10-222d, 10-222g and 10-222h, subsection
164 (g) of section 10-233c and sections 1 and 3 of public act 08-160, shall not
165 be required to provide in-service training on the identification and
166 prevention of and response to bullying, (5) cardiopulmonary
167 resuscitation and other emergency life saving procedures, (6) computer
168 and other information technology as applied to student learning and
169 classroom instruction, communications and data management, (7) the
170 teaching of the language arts, reading and reading readiness for
171 teachers in grades kindergarten to three, inclusive, (8) second language
172 acquisition in districts required to provide a program of bilingual
173 education pursuant to section 10-17f, (9) the requirements and
174 obligations of a mandated reporter. Each local and regional board of
175 education may allow any paraprofessional or noncertified employee to
176 participate, on a voluntary basis, in any in-service training program
177 provided pursuant to this section, and (10) the teacher evaluation and
178 support program [developed] adopted pursuant to subsection (b) of
179 section 10-151b, as amended by this act. The State Board of Education,
180 within available appropriations and utilizing available materials, shall
181 assist and encourage local and regional boards of education to include:
182 (A) Holocaust and genocide education and awareness; (B) the
183 historical events surrounding the Great Famine in Ireland; (C) African-
184 American history; (D) Puerto Rican history; (E) Native American
185 history; (F) personal financial management; (G) domestic violence and

186 teen dating violence; and (H) topics approved by the state board upon
187 the request of local or regional boards of education as part of in-service
188 training programs pursuant to this subsection.

189 (b) Not later than a date prescribed by the commissioner, each local
190 and regional board of education shall establish a professional
191 development and evaluation committee consisting of certified
192 employees, and such other school personnel as the board deems
193 appropriate, including representatives of the exclusive bargaining
194 representative for such employees chosen pursuant to subsection (b) of
195 section 10-153. The duties of such committees shall include, but not be
196 limited to, participation in the development of a teacher evaluation
197 and support program for the district, pursuant to section 10-151b, as
198 amended by this act, and the development, evaluation and annual
199 updating of a comprehensive local professional development plan for
200 certified employees of the district. Such plan shall: (1) Be directly
201 related to the educational goals prepared by the local or regional board
202 of education pursuant to subsection (b) of section 10-220, (2) on and
203 after July 1, 2011, be developed with full consideration of the priorities
204 and needs related to student outcomes as determined by the State
205 Board of Education, and (3) provide for the ongoing and systematic
206 assessment and improvement of both teacher evaluation and
207 professional development of the professional staff members of each
208 such board, including personnel management and evaluation training
209 or experience for administrators, shall be related to regular and special
210 student needs and may include provisions concerning career
211 incentives and parent involvement. The State Board of Education shall
212 develop guidelines to assist local and regional boards of education in
213 determining the objectives of the plans and in coordinating staff
214 development activities with student needs and school programs.

215 Sec. 3. Section 10-151d of the general statutes is repealed and the
216 following is substituted in lieu thereof (*Effective from passage*):

217 (a) There is established a Performance Evaluation Advisory Council
218 within the Department of Education. Membership of the council shall

219 consist of: (1) The Commissioner of Education and the president of the
220 Board of Regents for Higher Education, or their designees, (2) one
221 representative from each of the following associations, designated by
222 the association, the Connecticut Association of Boards of Education,
223 the Connecticut Association of Public School Superintendents, the
224 Connecticut Federation of School Administrators, the Connecticut
225 Education Association and the American Federation of Teachers-
226 Connecticut, and (3) persons selected by the Commissioner of
227 Education who shall include, but not be limited to, teachers, persons
228 with expertise in performance evaluation processes and systems, and
229 any other person the commissioner deems appropriate.

230 (b) The council shall be responsible for (1) assisting the State Board
231 of Education in the development [and implementation of the] of (A)
232 guidelines for a model teacher evaluation [guidelines] and support
233 program, and (B) a model teacher evaluation and support program,
234 pursuant to subsection (c) of section 10-151b, as amended by this act,
235 [and] (2) the data collection and evaluation support system, pursuant
236 to subsection (c) of section 10-10a, and (3) assisting the State Board of
237 Education in the development of a teacher evaluation and support
238 program implementation plan, pursuant to subsection (e) of section 10-
239 151b, as amended by this act. The council shall meet at least quarterly.

240 Sec. 4. Subsection (d) of section 10-151 of the general statutes, as
241 amended by section 57 of public act 12-116, is repealed and the
242 following is substituted in lieu thereof (*Effective July 1, 2014*):

243 (d) The contract of employment of a teacher who has attained tenure
244 shall be continued from school year to school year, except that it may
245 be terminated at any time for one or more of the following reasons: (1)
246 Inefficiency, incompetence or ineffectiveness, provided, if a teacher is
247 notified on or after July 1, 2014, that termination is under consideration
248 due to incompetence or ineffectiveness, the determination of
249 incompetence or ineffectiveness is based on evaluation of the teacher
250 using teacher evaluation guidelines established pursuant to section 10-
251 151b, as amended by this act; (2) insubordination against reasonable

252 rules of the board of education; (3) moral misconduct; (4) disability, as
253 shown by competent medical evidence; (5) elimination of the position
254 to which the teacher was appointed or loss of a position to another
255 teacher, if no other position exists to which such teacher may be
256 appointed if qualified, provided such teacher, if qualified, shall be
257 appointed to a position held by a teacher who has not attained tenure,
258 and provided further that determination of the individual contract or
259 contracts of employment to be terminated shall be made in accordance
260 with either (A) a provision for a layoff procedure agreed upon by the
261 board of education and the exclusive employees' representative
262 organization, or (B) in the absence of such agreement, a written policy
263 of the board of education; or (6) other due and sufficient cause.
264 Nothing in this section or in any other section of the general statutes or
265 of any special act shall preclude a board of education from making an
266 agreement with an exclusive bargaining representative which contains
267 a recall provision. Prior to terminating a contract, the superintendent
268 shall give the teacher concerned a written notice that termination of
269 such teacher's contract is under consideration and give such teacher a
270 statement of the reasons for such consideration of termination. Not
271 later than ten calendar days after receipt of written notice by the
272 superintendent that contract termination is under consideration, such
273 teacher may file with the local or regional board of education a written
274 request for a hearing. A board of education may designate a
275 subcommittee of three or more board members to conduct hearings
276 and submit written findings and recommendations to the board for
277 final disposition in the case of teachers whose contracts are terminated.
278 Such hearing shall commence not later than fifteen calendar days after
279 receipt of such request, unless the parties mutually agree to an
280 extension, not to exceed fifteen calendar days (A) before the board of
281 education or a subcommittee of the board, or (B) if indicated in such
282 request or if designated by the board before an impartial hearing
283 officer chosen by the teacher and the superintendent. If the parties are
284 unable to agree upon the choice of a hearing officer not later than five
285 calendar days after the decision to use a hearing officer, the hearing
286 officer shall be selected with the assistance of the American Arbitration

287 Association using its expedited selection process and in accordance
288 with its rules for selection of a neutral arbitrator in grievance
289 arbitration. If the hearing officer is not selected with the assistance of
290 such association after five days, the hearing shall be held before the
291 board of education or a subcommittee of the board. When the reason
292 for termination is incompetence or ineffectiveness, the hearing shall (i)
293 address the question of whether the performance evaluation ratings of
294 the teacher were determined in good faith in accordance with the
295 program [developed] adopted by the local or regional board of
296 education pursuant to section 10-151b, as amended by this act, and
297 were reasonable in light of the evidence presented, and (ii) be limited
298 to twelve total hours of evidence and testimony, with each side
299 allowed not more than six hours to present evidence and testimony
300 except the board, subcommittee of the board or impartial hearing
301 officer may extend the time period for evidence and testimony at the
302 hearing when good cause is shown. Not later than forty-five calendar
303 days after receipt of the request for a hearing, the subcommittee of the
304 board or hearing officer, unless the parties mutually agree to an
305 extension not to exceed fifteen calendar days, shall submit written
306 findings and a recommendation to the board of education as to the
307 disposition of the charges against the teacher and shall send a copy of
308 such findings and recommendation to the teacher. The board of
309 education shall give the teacher concerned its written decision not later
310 than fifteen calendar days of receipt of the written recommendation of
311 the subcommittee or hearing officer. Each party shall share equally the
312 fee of the hearing officer and all other costs incidental to the hearing. If
313 the hearing is before the board of education, the board shall render its
314 decision not later than fifteen calendar days after the close of such
315 hearing and shall send a copy of its decision to the teacher. The
316 hearing shall be public if the teacher so requests or the board,
317 subcommittee or hearing officer so designates. The teacher concerned
318 shall have the right to appear with counsel at the hearing, whether
319 public or private. A copy of a transcript of the proceedings of the
320 hearing shall be furnished by the board of education, upon written
321 request by the teacher within fifteen days after the board's decision,

322 provided the teacher shall assume the cost of any such copy. Nothing
323 herein contained shall deprive a board of education or superintendent
324 of the power to suspend a teacher from duty immediately when
325 serious misconduct is charged without prejudice to the rights of the
326 teacher as otherwise provided in this section.

327 Sec. 5. Subsection (b) of section 10-148a of the general statutes is
328 repealed and the following is substituted in lieu thereof (*Effective from*
329 *passage*):

330 (b) Local and regional boards of education shall offer professional
331 development activities to certified employees as part of the plan
332 developed pursuant to subsection (b) of section 10-220a, as amended
333 by this act, or for any individual certified employee. Such professional
334 development activities may be made available by a board of education
335 directly, through a regional educational service center or cooperative
336 arrangement with another board of education or through
337 arrangements with any professional development provider approved
338 by the Commissioner of Education. Such professional development
339 activities shall (1) improve the integration of reading instruction,
340 literacy and numeracy enhancement, and cultural awareness into
341 instructional practice, (2) include strategies to improve English
342 language learner instruction into instructional practice, (3) be
343 determined by each board of education with the advice and assistance
344 of the teachers employed by such board, including representatives of
345 the exclusive bargaining unit for such teachers pursuant to section 10-
346 153b, and on and after July 1, 2012, in full consideration of priorities
347 and needs related to student outcomes as determined by the State
348 Board of Education, (4) use the results and findings of teacher and
349 administrator performance evaluations, conducted pursuant to section
350 10-151b, as amended by this act, to improve teacher and administrator
351 practice and provide professional growth, and (5) include training in
352 the implementation of student individualized education programs and
353 the communication of individualized education program procedures
354 to parents or guardians of students who require special education and
355 related services for certified employees with an endorsement in special

356 education who hold a position requiring such an endorsement.
357 Professional development completed by superintendents of schools
358 and administrators, as defined in section 10-144e, shall include at least
359 fifteen hours of training in the evaluation and support of teachers
360 under the teacher and administrator evaluation and support program,
361 adopted pursuant to [subdivision (2) of] subsection (b) of section 10-
362 151b, as amended by this act, during each five-year period. The time
363 and location for the provision of such activities shall be in accordance
364 with either an agreement between the board of education and the
365 exclusive bargaining unit pursuant to section 10-153b or, in the absence
366 of such agreement or to the extent such agreement does not provide
367 for the time and location of all such activities, in accordance with a
368 determination by the board of education.

369 Sec. 6. Subsection (b) of section 10-151f of the general statutes is
370 repealed and the following is substituted in lieu thereof (*Effective from*
371 *passage*):

372 (b) The teacher evaluation and support pilot program described in
373 subdivision (1) of subsection (a) of this section shall (1) assess and
374 evaluate the implementation of a teacher evaluation and support
375 program [developed] adopted by a local or regional board of
376 education pursuant to subsection (b) of section 10-151b, as amended by
377 this act, that is in compliance with the guidelines for a teacher
378 evaluation and support program adopted pursuant to subsection (c) of
379 section 10-151b, as amended by this act, (2) identify district needs for
380 technical assistance and support in implementing such teacher
381 evaluation and support program, (3) provide training to
382 administrators in how to conduct performance evaluations under the
383 teacher evaluation and support program, (4) provide orientation to
384 teachers being evaluated under the teacher evaluation and support
385 program, (5) include a validation process for performance evaluations
386 to be conducted by the Department of Education, or the department's
387 designee, and (6) provide funding for the administration of the teacher
388 evaluation and support program developed by the local or regional
389 board of education.

390 Sec. 7. Subsection (b) of section 10-151g of the general statutes is
391 repealed and the following is substituted in lieu thereof (*Effective from*
392 *passage*):

393 (b) Upon completion of such study, but not later than January 1,
394 2014, the Neag School of Education at The University of Connecticut
395 shall [(1)] submit such study to (1) the State Board of Education, [such
396 study and any recommendation concerning validation of the teacher
397 evaluation and support program guidelines adopted by the State
398 Board of Education pursuant to subsection (c) of section 10-151b, and
399 (2) submit such study to] and (2) the joint standing committee of the
400 General Assembly having cognizance of matters relating to education,
401 in accordance with the provisions of section 11-4a.

402 Sec. 8. Section 10-151h of the general statutes is repealed and the
403 following is substituted in lieu thereof (*Effective from passage*):

404 [Prior to the implementation of] For the school year commencing
405 July 1, 2013, prior to any evaluation conducted under the teacher
406 evaluation and support program [developed] adopted pursuant to
407 subsection (b) of section 10-151b, as amended by this act, [but not later
408 than July 1, 2014,] each local and regional board of education shall
409 conduct training programs for all evaluators and orientation for all
410 teachers employed by such board relating to the provisions of such
411 teacher evaluation and support program [developed] adopted by such
412 board of education. Such training shall provide instruction to
413 evaluators in how to conduct proper performance evaluations prior to
414 conducting an evaluation under the teacher evaluation and support
415 program. Such orientation shall be completed by each teacher before a
416 teacher receives an evaluation under the teacher evaluation and
417 support program. For purposes of this section, the term "teacher" shall
418 include each professional employee of a board of education, below the
419 rank of superintendent, who holds a certificate or permit issued by the
420 State Board of Education.

421 Sec. 9. Section 10-151i of the general statutes is repealed and the
422 following is substituted in lieu thereof (*Effective from passage*):

423 On July 1, 2014, and annually thereafter, the Commissioner of
424 Education shall randomly select, within available appropriations, at
425 least ten teacher evaluation and support programs [developed]
426 adopted pursuant to section 10-151b, as amended by this act, to be
427 subject to a comprehensive audit conducted by the Department of
428 Education. The department shall submit the results of such audits to
429 the joint standing committee of the General Assembly having
430 cognizance of matters relating to education, in accordance with the
431 provisions of section 11-4a.

432 Sec. 10. Subsections (c) and (d) of section 10-66ee of the general
433 statutes are repealed and the following is substituted in lieu thereof
434 (*Effective July 1, 2013*):

435 (c) (1) For the fiscal year ending June 30, 2014, and each fiscal year
436 thereafter, the State Board of Education may approve, within available
437 appropriations, a per student grant to a local charter school described
438 in subsection (b) of section 10-66nn in an amount not to exceed three
439 thousand dollars for each student enrolled in such local charter school,
440 provided the local or regional board of education for such local charter
441 school and the representatives of the exclusive bargaining unit for
442 certified employees, chosen pursuant to section 10-153b, mutually
443 agree on staffing flexibility in such local charter school, and such
444 agreement is approved by the State Board of Education. For the
445 purposes of equalization aid grants pursuant to section 10-262h, the
446 state shall make such payments, in accordance with this subsection, to
447 the town in which a local charter school is located as follows: Twenty-
448 five per cent of the amount not later than July fifteenth and September
449 first based on estimated student enrollment on May first, and twenty-
450 five per cent of the amount not later than January first and the
451 remaining amount not later than April [fifteenth] first, each based on
452 student enrollment on October first.

453 (2) The town shall pay to the fiscal authority for a local charter
454 school the portion of the amount paid to the town pursuant to
455 subdivision (1) of this subsection attributable for students enrolled in

456 such local charter school. Such payments shall be made as follows:
457 Twenty-five per cent of the amount not later than July twentieth and
458 September fifteenth and twenty-five per cent of the amount not later
459 than January fifteenth and the remaining amount not later than April
460 fifteenth.

461 (d) (1) For the purposes of equalization aid grants pursuant to
462 section 10-262h, the state shall pay in accordance with this subsection,
463 to the town in which a state charter school is located for each student
464 enrolled in such school, for the fiscal year ending June 30, 2013, ten
465 thousand two hundred dollars, for the fiscal year ending June 30, 2014,
466 eleven thousand dollars, and for the fiscal year ending June 30, 2015,
467 and each fiscal year thereafter, eleven thousand five hundred dollars.
468 Such payments shall be made as follows: Twenty-five per cent of the
469 amount not later than July fifteenth and September first based on
470 estimated student enrollment on May first, and twenty-five per cent of
471 the amount not later than January first and the remaining amount not
472 later than April [fifteenth] first, each based on student enrollment on
473 October first. Notwithstanding the provisions of this subdivision, the
474 payment of the remaining amount made not later than April 15, 2013,
475 shall be within available appropriations and may be adjusted for each
476 student on a pro rata basis.

477 (2) The town shall pay to the fiscal authority for a state charter
478 school the portion of the amount paid to the town pursuant to
479 subdivision (1) of this subsection attributable for students enrolled in
480 such state charter school. Such payments shall be made as follows:
481 Twenty-five per cent of the amount not later than July twentieth and
482 September fifteenth and twenty-five per cent of the amount not later
483 than January fifteenth and the remaining amount not later than April
484 fifteenth.

485 (3) In the case of a student identified as requiring special education,
486 the school district in which the student resides shall: (A) Hold the
487 planning and placement team meeting for such student and shall
488 invite representatives from the charter school to participate in such

489 meeting; and (B) pay the state charter school, on a quarterly basis, an
490 amount equal to the difference between the reasonable cost of
491 educating such student and the sum of the amount received by the
492 state charter school for such student pursuant to subdivision (2) of this
493 subsection and amounts received from other state, federal, local or
494 private sources calculated on a per pupil basis. Such school district
495 shall be eligible for reimbursement pursuant to section 10-76g. The
496 charter school a student requiring special education attends shall be
497 responsible for ensuring that such student receives the services
498 mandated by the student's individualized education program whether
499 such services are provided by the charter school or by the school
500 district in which the student resides.

501 Sec. 11. Subsection (b) of section 10-76kk of the general statutes is
502 repealed and the following is substituted in lieu thereof (*Effective July*
503 *1, 2013*):

504 (b) The Department of Education shall study the plans and
505 strategies used by a local or regional board of education that
506 demonstrate improvement in the reduction of the misidentification of
507 minority students requiring special education under this section. Such
508 study shall examine the [correlation] association between
509 improvements in teacher training in the science of reading and the
510 reduction in misidentification of students requiring special education
511 services.

512 Sec. 12. Subsection (a) of section 10-14t of the general statutes is
513 repealed and the following is substituted in lieu thereof (*Effective July*
514 *1, 2013*):

515 (a) On or before January 1, [2013] 2014, the Department of Education
516 shall develop or approve reading assessments for use by local and
517 regional boards of education for the school year commencing July 1,
518 [2013] 2014, and each school year thereafter, to identify students in
519 kindergarten to grade three, inclusive, who are below proficiency in
520 reading, provided any reading assessments developed or approved by
521 the department include frequent screening and progress monitoring of

522 students. Such reading assessments shall (1) measure phonics,
523 phonemic awareness, fluency, vocabulary, and comprehension, (2)
524 provide opportunities for periodic formative assessment during the
525 school year, (3) produce data that is useful for informing individual
526 and classroom instruction, including the grouping of students based
527 on such data and the selection of instructional activities based on data
528 of individual student response patterns during such progress
529 monitoring, and (4) be compatible with best practices in reading
530 instruction and research.

531 Sec. 13. Section 10-14u of the general statutes is repealed and the
532 following is substituted in lieu thereof (*Effective July 1, 2013*):

533 (a) As used in this section:

534 (1) "Achievement gap" means the existence of a significant disparity
535 in the academic performance of students among and between (A)
536 racial groups, (B) ethnic groups, (C) socioeconomic groups, (D)
537 genders, and (E) English language learners and students whose
538 primary language is English.

539 (2) "Scientifically-based reading research and instruction" means (A)
540 a comprehensive program or a collection of instructional practices that
541 is based on reliable, valid evidence showing that when such programs
542 or practices are used, students can be expected to achieve satisfactory
543 reading progress, and (B) the integration of instructional strategies for
544 continuously assessing, evaluating and communicating the student's
545 reading progress and needs in order to design and implement ongoing
546 interventions so that students of all ages and proficiency levels can
547 read and comprehend text and apply higher level thinking skills. Such
548 comprehensive program or collection of practices shall include, but not
549 be limited to, instruction in five areas of reading: Phonemic awareness,
550 phonics, fluency, vocabulary, and text comprehension.

551 (b) For the school year commencing July 1, [2012] 2014, and each
552 school year thereafter, the Commissioner of Education shall create an
553 intensive reading instruction program to improve student literacy in

554 grades kindergarten to grade three, inclusive, and close the
555 achievement gap. Such intensive reading instruction program shall
556 include routine reading assessments for students in kindergarten to
557 grade three, inclusive, scientifically-based reading research and
558 instruction, an intensive reading intervention strategy, as described in
559 subsection (c) of this section, supplemental reading instruction and
560 reading remediation plans, as described in subsection (d) of this
561 section, and an intensive summer school reading program, as
562 described in subsection (e) of this section. For the school year
563 commencing July 1, [2012] 2014, the commissioner shall select five
564 elementary schools that are (1) located in an educational reform
565 district, as defined in section 10-262u, (2) participating in the
566 commissioner's network of schools, pursuant to section 10-223h, or (3)
567 among the lowest five per cent of elementary schools in school subject
568 performance indices for reading and mathematics, as defined in
569 section 10-223e, to participate in the intensive reading instruction
570 program and for the school year commencing July 1, [2013] 2015, and
571 each school year thereafter, the commissioner may select up to five
572 additional such elementary schools to participate in the intensive
573 reading instruction program.

574 (c) On or before July 1, [2012] 2014, the Department of Education
575 shall develop an intensive reading intervention strategy for use by
576 schools selected by the Commissioner of Education to participate in
577 the intensive reading instruction program to address the achievement
578 gap at such schools and to ensure that all students are reading
579 proficiently by grade three in such schools. Such intensive reading
580 intervention strategy for schools shall (1) include, but not be limited to,
581 (A) rigorous assessments in reading skills, (B) scientifically-based
582 reading research and instruction, (C) one external literacy coach for
583 each school, to be funded by the department, who will work with the
584 reading data collected, support the principal of the school as needed,
585 observe, and coach classes and supervise the reading interventions, (D)
586 four reading interventionists for each school, to be funded by the
587 department, who will develop a reading remediation plan for any
588 student who is reading below proficiency, be responsible for all

589 supplemental reading instruction, and conduct reading assessments as
590 needed, and (E) training for teachers and administrators in
591 scientifically-based reading research and instruction, including,
592 training for school administrators on how to assess a classroom to
593 ensure that all children are proficient in reading by grade three, and (2)
594 outline, at a minimum, how (A) reading data will be collected,
595 analyzed and used for purposes of instructional development, (B)
596 professional and leadership development will be related to reading
597 data analysis and used to support individual teacher and classroom
598 needs, (C) the selected schools will communicate with parents and
599 guardians of students on reading instruction strategies and student
600 reading performance goals, and on opportunities for parents and
601 guardians to partner with teachers and school administrators to
602 improve reading at home and at school, (D) teachers and school
603 leaders will be trained in the science of teaching reading, (E) periodic
604 student progress reports will be issued, and (F) such selected school
605 intensive reading intervention strategy will be monitored at the
606 classroom level. The commissioner shall review and evaluate the
607 school intensive reading intervention strategy for model components
608 that may be used and replicated in other schools and school districts to
609 ensure that all children are proficient in reading by grade three.

610 (d) (1) For the school year commencing July 1, [2012] 2014, and each
611 school year thereafter, each school selected by the Commissioner of
612 Education to participate in the intensive reading instruction program
613 under this section shall provide supplemental reading instruction to
614 students in kindergarten to grade three, inclusive, who are reading
615 below proficiency, as identified by the reading assessment described in
616 section 10-14t. Such supplemental reading instruction shall be
617 provided by a reading interventionist during regular school hours.

618 (2) A reading remediation plan shall be developed by a reading
619 interventionist for each student in kindergarten to grade three,
620 inclusive, who has been identified as reading below proficiency to
621 address and correct the reading deficiency of such student. Such
622 remediation plan shall include instructional strategies that utilize

623 research based reading instruction materials and teachers trained in
624 reading instruction, parental involvement in the implementation of the
625 remediation plan and regular progress reports on such student.

626 (3) The principal of a school selected by the Commissioner of
627 Education to participate in the intensive reading instruction program
628 under this section shall notify the parent or guardian of any student in
629 kindergarten to grade three, inclusive, who has been identified as
630 being below proficiency in reading. Such notice shall be in writing and
631 include, (A) an explanation of why such student is below proficiency
632 in reading, and (B) inform such parent or guardian that a remediation
633 plan, as described in subdivision (2) of this subsection, will be
634 developed for such student to provide supplemental reading
635 instruction, including strategies for the parent or guardian to use at
636 home with such student.

637 (e) (1) Any student enrolled in a school selected by the
638 Commissioner of Education that is located in a priority school district,
639 pursuant to section 10-266p, to participate in the intensive reading
640 instruction program under this section and who is reading below
641 proficiency at the end of the school year shall be enrolled in an
642 intensive summer school reading instruction program. Such intensive
643 summer school reading instruction program shall include, (A) a
644 comprehensive reading intervention program, (B) scientifically-based
645 reading research and instruction strategies and interventions, (C)
646 diagnostic assessments administered to a student prior to or during an
647 intensive summer school reading instruction program to determine
648 such student's particularized need for instruction, (D) teachers who are
649 trained in the teaching of reading and reading assessment and
650 intervention, and (E) weekly progress monitoring to assess the reading
651 progress of such student and tailor instruction for such student.

652 (2) The principal of a school selected by the Commissioner of
653 Education to participate in the intensive reading instruction program
654 under this section shall submit reports to the Department of Education,
655 at such time and in such manner as prescribed by the department, on

656 (A) student reading progress for each student reading below
657 proficiency based on the data collected from the screening and
658 progress monitoring of such student using the reading assessments
659 described in section 10-14t, and (B) the specific reading interventions
660 and supports implemented.

661 (f) Not later than October 1, [2013] 2015, and annually thereafter, the
662 department shall report to the joint standing committee of the General
663 Assembly having cognizance of matters relating to education, in
664 accordance with the provisions of section 11-4a, on student reading
665 levels in schools participating in the intensive reading instruction
666 program. Such report shall include recommendations on model
667 components of the school intensive reading intervention strategy that
668 may be used and replicated in other schools and school districts.

669 Sec. 14. Section 10-145r of the general statutes is repealed and the
670 following is substituted in lieu thereof (*Effective July 1, 2013*):

671 For the school year commencing July 1, 2014, and each school year
672 thereafter, [the] each local or regional board of education [for all
673 certified employees who hold] that employs a certified individual who
674 holds an initial, provisional or professional educator certificate with an
675 early childhood nursery through grade three or an elementary
676 endorsement [and are employed] in a position requiring such an
677 endorsement in kindergarten to grade three, inclusive, shall require
678 [all such certified employees to take the practice version of] each such
679 employee to take a survey on reading instruction, developed by the
680 Department of Education and based on the reading instruction
681 examination approved by the State Board of Education on April 1,
682 2009. [Each local and regional board of education shall annually report
683 the results of such practice examination to the Department of
684 Education.] Such survey shall protect the anonymity of each such
685 employee, except for the use in developing professional development
686 plans for the individual employee and the school, and be administered
687 at no financial cost to such employee. The results of such survey shall
688 be aggregated at the grade, school and district level and used in the

689 provision of professional development in scientifically-based reading
690 research and instruction, pursuant to section 10-148b. Such results
691 shall not be subject to disclosure under the Freedom of Information
692 Act, as defined in section 1-200.

693 Sec. 15. Section 10-14v of the general statutes is repealed and the
694 following is substituted in lieu thereof (*Effective July 1, 2013*):

695 On or before ~~[July 1, 2013]~~ January 1, 2014, the Department of
696 Education shall develop a coordinated state-wide reading plan for
697 students in kindergarten to grade three, inclusive, that contains
698 strategies and frameworks that are research-driven to produce
699 effective reading instruction and improvement in student
700 performance. Such plan shall include: (1) The alignment of reading
701 standards, instruction and assessments for students in kindergarten to
702 grade three, inclusive; (2) teachers' use of data on the progress of all
703 students to adjust and differentiate instructional practices to improve
704 student reading success; (3) the collection of information concerning
705 each student's reading background, level and progress so that teachers
706 can use such information to assist in the transition of a student's
707 promotion to the next grade level; (4) an intervention for each student
708 who is not making adequate progress in reading to help such student
709 read at the appropriate grade level; (5) enhanced reading instruction
710 for students who are reading at or above their grade level; (6) the
711 coordination of reading instruction activities between parents,
712 students, teachers and administrators of the school district at home
713 and in school; (7) school district reading plans; (8) parental
714 involvement by providing parents and guardians of students with
715 opportunities for partnering with teachers and school administrators
716 to (A) create an optimal learning environment, and (B) receive updates
717 on the reading progress of their student; (9) teacher training and
718 reading performance tests aligned with teacher preparation courses
719 and professional development activities; (10) incentives for schools
720 that have demonstrated significant improvement in student reading;
721 (11) research-based literacy training for early childhood care and
722 education providers and instructors working with children birth to

723 five years of age, inclusive, and transition plans relating to oral
724 language and preliteracy proficiency for children between
725 prekindergarten and kindergarten; and (12) the alignment of reading
726 instruction with the common core state standards adopted by the State
727 Board of Education.

728 Sec. 16. Subsection (f) of section 10-145d of the general statutes is
729 repealed and the following is substituted in lieu thereof (*Effective from*
730 *passage*):

731 (f) An endorsement issued prior to July 1, 2013, to teach elementary
732 education grades one to six, inclusive, shall be valid for grades
733 kindergarten to six, inclusive, and for such an endorsement issued on
734 or after July 1, 2013, the endorsement shall be valid for grades one to
735 six, inclusive, except such an endorsement issued between July 1, 2013,
736 and July 1, 2017, to any student who was admitted to a teacher
737 preparation program, as defined in section 10-10a, in the certification
738 endorsement area of elementary education on or before the start of the
739 fall semester of 2012, and successfully completes such program, shall
740 be valid for grades kindergarten to six, inclusive. An endorsement to
741 teach comprehensive special education grades one to twelve, inclusive,
742 shall be valid for grades kindergarten to twelve, inclusive, provided,
743 on and after [July] September 1, 2013, any [certified employee with
744 such] applicant for an initial educator certificate and a comprehensive
745 special education endorsement [achieves] shall achieve a satisfactory
746 score on the reading instruction examination approved by the State
747 Board of Education on April 1, 2009.

748 Sec. 17. Subsection (i) of section 10-145d of the general statutes is
749 repealed and the following is substituted in lieu thereof (*Effective from*
750 *passage*):

751 (i) On and after [July] September 1, 2013, any [certified employee
752 with] applicant for an initial educator certificate and a remedial
753 reading, [and] remedial language arts or reading consultant
754 endorsement shall achieve a satisfactory score on the reading
755 instruction examination approved by the State Board of Education on

756 April 1, 2009.

757 Sec. 18. Subsection (a) of section 10-223h of the general statutes is
758 repealed and the following is substituted in lieu thereof (*Effective from*
759 *passage*):

760 (a) The Commissioner of Education shall establish a commissioner's
761 network of schools to improve student academic achievement in low-
762 performing schools. On or before July 1, 2014, the commissioner may
763 select not more than twenty-five schools that have been classified as a
764 category four school or a category five school pursuant to section 10-
765 223e to participate in the commissioner's network of schools. The
766 commissioner shall issue guidelines regarding the development of
767 turnaround plans, and such guidelines shall include, but not be limited
768 to, annual deadlines for the submission or nonsubmission of a
769 turnaround plan and annual deadlines for approval or rejection of
770 turnaround plans. The commissioner shall give preference for selection
771 in the commissioner's network of schools to such schools (1) that
772 volunteer to participate in the commissioner's network of schools,
773 provided the local or regional board of education for such school and
774 the representatives of the exclusive bargaining unit for certified
775 employees chosen pursuant to section 10-153b mutually agree to
776 participate in the commissioner's network of schools, [or] (2) in which
777 an existing collective bargaining agreement between the local or
778 regional board of education for such school and the representatives of
779 the exclusive bargaining unit for certified employees chosen pursuant
780 to section 10-153b will have expired for the school year in which a
781 turnaround plan will be implemented, or (3) that are located in school
782 districts that (A) have experience in school turnaround reform, or (B)
783 previously received a school improvement grant pursuant to Section
784 1003(g) of Title I of the Elementary and Secondary Education Act, 20
785 USC 6301 et seq. The commissioner shall not select more than two
786 schools from a single school district in a single school year and shall
787 not select more than four schools in total from a single district. Each
788 school so selected shall begin implementation of a turnaround plan, as
789 described in subsection (d) of this section, not later than the school

790 year commencing July 1, 2014. Each school so selected shall participate
791 in the commissioner's network of schools for three school years, and
792 may continue such participation for an additional year, not to exceed
793 two additional years, upon approval from the State Board of Education
794 in accordance with the provisions of subsection (h) of this section. The
795 commissioner shall provide funding, technical assistance and
796 operational support to schools participating in the commissioner's
797 network of schools and may provide financial support to teachers and
798 administrators working at a school that is participating in the
799 commissioner's network of schools. All costs attributable to developing
800 and implementing a turnaround plan in excess of the ordinary
801 operating expenses for such school shall be paid by the State Board of
802 Education.

803 Sec. 19. Subsection (d) of section 10-262u of the general statutes is
804 repealed and the following is substituted in lieu thereof (*Effective July*
805 *1, 2013*):

806 (d) The local or regional board of education for a town designated
807 as an alliance district may apply to the Commissioner of Education, at
808 such time and in such manner as the commissioner prescribes, to
809 receive any increase in funds received over the amount the town
810 received for the prior fiscal year pursuant to section 10-262h.
811 Applications pursuant to this subsection shall include objectives and
812 performance targets and a plan that may include, but not be limited to,
813 the following: (1) A tiered system of interventions for the schools
814 under the jurisdiction of such board based on the needs of such
815 schools, (2) ways to strengthen the foundational programs in reading,
816 through the intensive reading instruction program pursuant to section
817 10-14u, as amended by this act, to ensure reading mastery in
818 kindergarten to grade three, inclusive, with a focus on standards and
819 instruction, proper use of data, intervention strategies, current
820 information for teachers, parental engagement, and teacher
821 professional development, (3) additional learning time, including
822 extended school day or school year programming administered by
823 school personnel or external partners, (4) a talent strategy that

824 includes, but is not limited to, teacher and school leader recruitment
 825 and assignment, career ladder policies that draw upon guidelines for a
 826 model teacher evaluation program adopted by the State Board of
 827 Education, pursuant to section 10-151b, and adopted by each local or
 828 regional board of education. Such talent strategy may include
 829 provisions that demonstrate increased ability to attract, retain,
 830 promote and bolster the performance of staff in accordance with
 831 performance evaluation findings and, in the case of new personnel,
 832 other indicators of effectiveness, (5) training for school leaders and
 833 other staff on new teacher evaluation models, (6) provisions for the
 834 cooperation and coordination with early childhood education
 835 providers to ensure alignment with district expectations for student
 836 entry into kindergarten, including funding for an existing local Head
 837 Start program, (7) provisions for the cooperation and coordination
 838 with other governmental and community programs to ensure that
 839 students receive adequate support and wraparound services, including
 840 community school models, and (8) any additional categories or goals
 841 as determined by the commissioner. Such plan shall demonstrate
 842 collaboration with key stakeholders, as identified by the commissioner,
 843 with the goal of achieving efficiencies and the alignment of intent and
 844 practice of current programs with conditional programs identified in
 845 this subsection. The commissioner may require changes in any plan
 846 submitted by a local or regional board of education before the
 847 commissioner approves an application under this subsection.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	10-151b
Sec. 2	<i>from passage</i>	10-220a(a) and (b)
Sec. 3	<i>from passage</i>	10-151d
Sec. 4	<i>July 1, 2014</i>	10-151(d)
Sec. 5	<i>from passage</i>	10-148a(b)
Sec. 6	<i>from passage</i>	10-151f(b)
Sec. 7	<i>from passage</i>	10-151g(b)
Sec. 8	<i>from passage</i>	10-151h
Sec. 9	<i>from passage</i>	10-151i

Sec. 10	<i>July 1, 2013</i>	10-66ee(c) and (d)
Sec. 11	<i>July 1, 2013</i>	10-76kk(b)
Sec. 12	<i>July 1, 2013</i>	10-14t(a)
Sec. 13	<i>July 1, 2013</i>	10-14u
Sec. 14	<i>July 1, 2013</i>	10-145r
Sec. 15	<i>July 1, 2013</i>	10-14v
Sec. 16	<i>from passage</i>	10-145d(f)
Sec. 17	<i>from passage</i>	10-145d(i)
Sec. 18	<i>from passage</i>	10-223h(a)
Sec. 19	<i>July 1, 2013</i>	10-262u(d)

Statement of Legislative Commissioners:

In section 1, revised language in section 10-151b(e) for clarity. In section 3, replaced "standards" with "plan" in section 10-151d(b)(3) for consistency and accuracy. In section 5, struck the closing bracket after "(b) of" and inserted a closing bracket after "(2) of" for consistency. In section 12, bracketed "2013" and after the closing bracket inserted "2014" in section 10-14t(a) for consistency.

ED *Joint Favorable Subst.*

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

OFA Fiscal Note

State Impact: None

Municipal Impact:

Municipalities	Effect	FY 14 \$	FY 15 \$
Local and Regional School Districts	See Below	See Below	See Below

Explanation

Sections 1 and 8 of the bill requires that new teacher evaluations begin with the 2013-2014 school year, and that training and orientation be completed by the start of the school year beginning July 1, 2013. The FY 13 Revised Budget provided \$3.5 million to the State Department of Education (SDE) to support local and regional boards of education in preparing for the new teacher evaluations. To the extent that a local and regional school district did not receive adequate support or training, the district could incur various costs with pushing up the deadlines associated with the new teacher evaluation system.

Sections 2, 3, 4-7, 9 and 11 make various procedural and conforming changes that are not anticipated to result in a fiscal impact.

Section 10 changes the final charter school payment of the year, from April 15 to April 1. This is not anticipated to result in a fiscal impact.

Sections 12 and 13 push out several deadlines regarding new reading assessments, intensive reading instruction programs, intensive reading strategies, and the selection of low-performing elementary schools to participate in the intensive reading program. To the extent that these provisions would have resulted in an additional cost to local

and regional school districts, the costs will now be delayed until FY 15, with the exception of the low-performing elementary schools, intensive reading program, which will be delayed until FY 16.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the new deadlines and requirements.

OLR Bill Analysis**sSB 1097*****AN ACT CONCERNING REVISIONS TO THE EDUCATION REFORM ACT OF 2012.*****SUMMARY:**

This bill makes many substantive and procedural changes to teacher evaluation provisions of the 2012 Education Reform Act (PA 12-116). Among other things, it:

1. requires the new teacher evaluation program for each school district to be adopted through mutual agreement between the local board of education and the local professional development and evaluation committee;
2. specifies the steps for adopting a program if the parties cannot agree on one;
3. specifies the dates for completing evaluation training before teachers are evaluated under the new program;
4. deletes a requirement that the UConn's Neag School of Education's report on the teacher evaluation pilot program include recommendations on possible changes to the evaluation; and
5. deletes a requirement that the State Board of Education (SBE) validate the evaluation guidelines after it receives the Neag report on the pilot.

It makes other changes, including:

1. extending deadlines for new reading assessments, intensive

reading instruction program, intensive reading strategy, and selection of low-performing elementary schools to participate in the intensive reading program;

2. requiring all K-3 reading teachers to take a survey, rather than a test, on reading instruction and to use the survey results to provide professional development for individual teachers; and
3. modifying what schools get preference for selection in the education commissioner's network of schools, which is aimed at improving student achievement in low performing schools.

The bill also makes technical and conforming changes.

EFFECTIVE DATE: various, see each section.

§ 1 — STATE BOARD OF EDUCATION APPROVAL OF NEW TEACHER EVALUATION PROGRAM

By law, the SBE, in consultation with the Performance Evaluation Advisory Council (PEAC), had to adopt guidelines for a model teacher evaluation and support program by July 1, 2012. The bill explicitly requires the adoption of a model that is consistent with the guidelines, by July 1, 2013.

By law the guidelines must provide for teacher ratings in four groups (exemplary, proficient, developing, and below standard); a scoring system to determine the ratings; and periodic training on the evaluation program for teachers and administrators, among many other items. Teacher evaluation programs used by local school districts must be consistent with the state's model.

The bill eliminates a requirement that the SBE validate the guidelines after (1) the completion of the teacher evaluation pilot program that is ongoing for the current school year and (2) receipt of a study by UConn's Neag School of Education of that pilot required by law (see § 7 for more on the Neag study).

Implementation Plan

By July 1, 2013, the bill requires SBE to adopt, in consultation with PEAC, a teacher evaluation and support program implementation plan. The plan must permit school districts to phase in full implementation of new teacher evaluation and support programs, during the 2013-14 and 2014-15 school years. By law, school districts must implement the new evaluation program by September 1, 2013.

§ 1 — LOCAL APPROVAL OF NEW EVALUATION PROGRAM

The bill modifies the steps that school district superintendents and local and regional school boards must take to adopt and implement the new teacher evaluation programs at the school district level.

By law, the boards must develop the new evaluation program by September 1, 2013 and it must be consistent with (1) the SBE adopted guidelines for the evaluation and support program and (2) the professional development plan developed by the district professional development committee. The bill requires boards to adopt rather than develop the plan. It additionally requires that the program be developed through mutual agreement with the district professional development committee by September 1, 2013 (see below for steps to be taken when there is no mutual agreement). The bill also changes the committee's name to the professional development and evaluation committee.

By law, superintendents of each local or regional board of education must annually evaluate each teacher. The evaluation must be consistent with the SBE-adopted evaluation guidelines and other guidelines as may be established by mutual agreement between the board the teachers union. The bill deletes the provision about other guidelines and replaces it with the same criteria that exist for the boards regarding the new evaluation. It requires that, in addition to being consistent with the SBE adopted guidelines, they must be (1) consistent with the professional development plan developed by the district professional development and evaluation committee, and (2) developed through mutual agreement with the district professional development committee. The bill requires these evaluations to begin

with the 2013-14 school year and each following year.

EFFECTIVE DATE: Upon passage

§§ 1 & 2 — DISTRICT PROFESSIONAL DEVELOPMENT COMMITTEES

The bill provides a multi-step process for situations when a board of education and the professional development and evaluation committee cannot agree on the new teacher evaluation program, with the final authority resting with the board. By law, the district professional development committee is charged with developing, evaluating, and annually updating the professional development plan for teachers and other certified staff in a school district.

The bill changes this committee's name to include teacher evaluation and requires the committees to participate in the development of the teacher evaluation and support program for the district.

The bill requires the following steps if the board and committee cannot agree on the new evaluation program:

1. The parties must consider adopting by mutual agreement the SDE adopted model teacher evaluation and support program without any modifications.
2. If the two parties fail to agree on the SDE model, the board has the authority to adopt and implement a teacher evaluation program that it chooses as long as it is consistent with the (a) evaluation guidelines SBE adopts under the bill and (b) professional development plan drawn up by the committee.

EFFECTIVE DATE: Upon passage

§ 3 — PEAC

Under current law, PEAC is responsible for helping the SBE develop and implement teacher evaluation guidelines. The bill instead requires PEAC to help SBE develop guidelines for a model evaluation and

support program. It adds the requirement that PEAC helps SBE develop evaluation and support program implementation standards, as required under the bill.

EFFECTIVE DATE: Upon passage

§§ 4-6 & 9 — CONFORMING CHANGES

These sections make conforming and technical changes.

EFFECTIVE DATE: July 1, 2014 and upon passage.

§ 7 — NEAG STUDY OF PILOT PROGRAM

By law, the UConn’s Neag School of Education is required to study the implementation of the teacher evaluation pilot program now underway in selected school districts. The study must, among other things, analyze and evaluate the pilot program’s implementation for each participating district and compare each district’s evaluation program to the SBE guidelines. The study must be submitted to the SBE and the Education Committee by January 1, 2014.

The bill eliminates the language permitting the study to include recommendations concerning the validation of the evaluation program guidelines that SBE must adopt.

EFFECTIVE DATE: Upon passage

§ 8 — EVALUATOR TRAINING BEFORE IMPLEMENTING EVALUATION

Under current law, school boards have to provide training for all evaluators and orientation to all of their teachers on the evaluation program before implementing it, but no later than July 1, 2014. The bill moves up the deadline for this training and orientation to the school year beginning July 1, 2013.

EFFECTIVE DATE: Upon passage

§ 10 — CHARTER SCHOOL GRANT PAYMENT DATES

The bill changes the statutory deadline by which the state must

make its last per-student grant payment to state or local charter schools. It requires the state to make the last of three required payments to the towns by April 1, rather than April 15. The last payment equals 50% of the per-student grant to the charters. The towns then pay the charter schools.

The payment deadline changes apply to annual per-student grants to (1) state charter schools of \$11,000 for FY 14, and \$11,500 for FY 15 and thereafter and (2) qualifying local charter schools of up to \$3,000 starting in FY 14. (Currently no local charters are in the state.)

EFFECTIVE DATE: July 1, 2013

§ 11 — SDE STUDY ON THE TEACHER TRAINING AND MISIDENTIFICATION OF STUDENTS FOR SPECIAL EDUCATION

By law, SDE must study the plans and strategies used by school districts to reduce their disproportionately and inappropriately identifying minority students as requiring special education due to reading deficiencies. The law also requires SDE to examine the correlation between improvements in teacher training in the science of reading and the reduction in misidentification of students requiring special education services. The bill requires SDE to examine the “association” rather than the “correlation” between teacher training improvements and reduced misidentification.

EFFECTIVE DATE: July 1, 2013

§§ 12 & 13 — DATE CHANGES FOR READING INITIATIVES

The bill extends several deadlines regarding new reading assessments, intensive reading instruction program, intensive reading strategy, and selection of low-performing elementary schools to participate in the intensive reading program. Table 1 below presents the date changes.

Table 1: Date Changes for Reading Program Deadlines

<i>Bill</i>	<i>Requirement</i>	<i>Current Law</i>	<i>Bill</i>

Section			
12	SDE must develop or approve new reading assessments for local school boards to identify K-3 students who are below proficiency in reading	2013-14 school year	2014-15 school year
13	Education commissioner must create an intensive reading instruction program for K-3 students	2012-13 school year	2014-15 school year
13	Commissioner must select five low-performing elementary schools to participate in the intensive reading instruction program	2012-13 school year	2014-15 school year
13	Commissioner must select five additional low-performing elementary schools to participate in the intensive reading instruction program	2013-14 school year, and each following year	2015-16 school year, and each following year
13	SDE must develop an intensive reading instruction strategy for use by the low-performing schools the commissioner selects	By July 1, 2012	By July 1, 2014

The bill also makes a conforming change that low-performing schools selected to be part of the intensive reading instruction program have to provide supplemental reading instruction to K-3 students reading below proficiency. Under the bill, the supplemental instruction must be provided starting with the 2014-15 school year, rather than the 2012-13 school year.

Similarly, it extends the deadline by which SDE must report on the intensive reading instruction program from October 1, 2013 to October 1, 2015.

EFFECTIVE DATE: July 1, 2013

§ 14 — READING INSTRUCTION SURVEY FOR ELEMENTARY TEACHERS

Current law requires, beginning July 1, 2014, and each following school year, all local and regional boards of education to require their K-3 teachers to take a practice version of the reading instruction examination approved by SBE on April 1, 2009. The bill instead requires these employees to take a survey on reading instruction based on the reading instruction exam. The survey must protect the anonymity of the teacher, except the results will be used in developing the professional development plans for the individual teacher and for the teacher's school. The professional development will be done at no cost to the teacher.

The results of the survey will be aggregated at the grade, school, and district level and used in the provision of professional development in scientifically-based reading research and instruction. The survey results are exempted from the Freedom of Information Act.

EFFECTIVE DATE: July 1, 2013

§ 15 — STATEWIDE READING POLICY

The bill delays, from July 1, 2013 to January 1, 2014, the deadline for SDE to develop a coordinated statewide reading plan for K-3 students that includes strategies that are research driven to produce effective instruction and improvement in student reading performance.

By law this plan must contain a number of items, including (1) the alignment of reading standards, instruction, and assessments for K-3 students and (2) an intervention for each student not making adequate progress in reading to help the student read at the appropriate grade level. The bill adds to the requirement that literacy training for early childhood care and education providers and instructors working with children age birth to five years must include transition plans relating to oral language and preliteracy proficiency for children between prekindergarten and kindergarten.

EFFECTIVE DATE: July 1, 2013

§§ 16 & 17 — SPECIAL EDUCATION AND REMEDIAL READING ENDORSEMENTS

Under current law, starting July 1, 2013, certified teachers with comprehensive special education or remedial reading and language arts endorsements must pass the reading instruction test approved by SBE on April 1, 2009. The bill limits this provision to applicants for initial educator certificates and changes the date it takes effect to September 1, 2013. This means certified teachers who hold these endorsements before the new date do not have to take and pass the exam. The bill also extends the reading endorsement requirement to cover applicants' initial educator certification for reading consultant endorsements.

EFFECTIVE DATE: Upon passage

§ 18 — COMMISSIONER'S NETWORK SCHOOLS

PA 12-116 created the commissioner's network of schools as a means for the state to intervene in low-performing schools to attempt to raise their student achievement through school turnaround plans and greater state assistance. The law set the parameters for the program and how the commissioner would select schools to participate. It required the commissioner to give preference to schools that volunteered to participate or that had union contracts that were to expire before the turnaround plan would be implemented. The bill adds to the preference list any school that is located in a district with experience in school turnaround reform or previously received a federal school improvement grant (which were only given to schools that agreed to implement a turnaround plan).

EFFECTIVE DATE: Upon passage

§ 19 — ALLIANCE DISTRICT AND READING INSTRUCTION

PA 12-116 created the category of Alliance Districts, which are the state's 30 lowest performing school districts based on a performance index. The districts had to apply for additional funding and state approval for the funds was based on the district's application.

By law the applications must address a number of objectives. The bill specifies the objective to strengthen reading must be accomplished through the intensive reading instruction program created under PA 12-116 and modified in the bill. (It is not clear how applications can address using the reading instruction program that is yet to be created and the bill extends the deadline for the program's completion by a year (see § 13).)

EFFECTIVE DATE: July 1, 2013

COMMITTEE ACTION

Education Committee

Joint Favorable Substitute

Yea 26 Nay 2 (03/28/2013)