



General Assembly

January Session, 2013

Raised Bill No. 6624

LCO No. 4253



Referred to Committee on EDUCATION

Introduced by:
(ED)

AN ACT CONCERNING MINOR REVISIONS TO THE EDUCATION STATUTES.

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

1 Section 1. Subsection (d) of section 10-264l of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2013*):

4 (d) Grants made pursuant to this section, except those made
5 pursuant to subdivision (6) of subsection (c) of this section, shall be
6 paid as follows: Seventy per cent by September first and the balance by
7 May first of each fiscal year. The May first payment shall be adjusted
8 to reflect actual interdistrict magnet school program enrollment as of
9 the preceding October first using the data of record as of the
10 intervening March first, if the actual level of enrollment is lower than
11 the projected enrollment stated in the approved grant application. The
12 May first payment shall be further adjusted for the difference between
13 the total grant received by the magnet school operator in the prior
14 fiscal year and the revised total grant amount calculated for the prior
15 fiscal year in cases where the aggregate financial audit submitted by

16 the interdistrict magnet school operator pursuant to subdivision (1) of
17 subsection (n) of this section indicates an overpayment by the
18 department.

19 Sec. 2. Subsection (n) of section 10-264l of the general statutes is
20 repealed and the following is substituted in lieu thereof (*Effective July*
21 *1, 2013*):

22 (n) (1) Each interdistrict magnet school operator shall annually file
23 with the Commissioner of Education, at such time and in such manner
24 as the commissioner prescribes, (A) a financial audit [in such form as
25 prescribed by the commissioner] for each interdistrict magnet school
26 operated by such operator, and (B) an aggregate financial audit for all
27 of the interdistrict magnet schools operated by such operator.

28 (2) Annually, the commissioner shall randomly select one
29 interdistrict magnet school operated by a regional educational service
30 center to be subject to a comprehensive financial audit conducted by
31 an auditor selected by the commissioner. The regional educational
32 service center shall be responsible for all costs associated with the
33 audit conducted pursuant to the provisions of this subdivision.

34 Sec. 3. Section 10-10b of the general statutes is repealed and the
35 following is substituted in lieu thereof (*Effective July 1, 2013*):

36 [The Department of Education shall require all school districts to
37 include on each student's transcript such student's unique identifier or
38 state-assigned student identifier.] Each local and regional board of
39 education shall include a student's state-assigned student identifier on
40 all official student documents for each student under the jurisdiction of
41 such board of education. For purposes of this section, "official student
42 documents" includes, but is not limited to, transcripts, report cards,
43 attendance records, disciplinary reports and student withdrawal
44 forms.

45 Sec. 4. Section 10a-55j of the general statutes is repealed and the

46 following is substituted in lieu thereof (*Effective July 1, 2013*):

47 [The Board of Regents for Higher Education shall require each] Each
48 public institution of higher education and each independent institution
49 of higher education that receives state funding [to] shall track the
50 [unique identifiers or] state-assigned student identifiers, [which] that
51 are assigned by the Department of Education to public school students,
52 of all in-state students of such institution until such students graduate
53 from or terminate enrollment at such institution.

54 Sec. 5. Section 10-10a of the general statutes is repealed and the
55 following is substituted in lieu thereof (*Effective from passage*):

56 (a) As used in this section:

57 (1) "Teacher" means any certified professional employee below the
58 rank of superintendent employed by a board of education for at least
59 ninety days in a position requiring a certificate issued by the State
60 Board of Education;

61 (2) "Teacher preparation program" means a program designed to
62 qualify an individual for professional certification as an educator
63 provided by institutions of higher education or other providers
64 approved by the Department of Education, including, but not limited
65 to, an alternate route to certification program.

66 (b) The Department of Education shall develop and implement a
67 state-wide public school information system. The state-wide public
68 school information system shall be designed for the purpose of
69 establishing a standardized electronic data collection and reporting
70 protocol that will facilitate compliance with state and federal reporting
71 requirements, improve school-to-school and district-to-district
72 information exchanges, and maintain the confidentiality of individual
73 student and staff data. [The initial design shall focus on student
74 information, provided the system shall be created to allow for future
75 compatibility with financial, facility and staff data. The system shall

76 provide for the tracking of the performance of individual students on
77 each of the state-wide mastery examinations under section 10-14n in
78 order to allow the department to compare the progress of the same
79 cohort of students who take each examination and to better analyze
80 school performance. The department shall assign a unique student
81 identifier to each student prior to tracking the performance of a
82 student in the public school information system.] Information
83 regarding student demographics and enrollment in the state-wide
84 public school information system shall be collected from local and
85 regional boards of education and other relevant sources.

86 (c) On or before July 1, 2013, the department shall [expand] develop
87 and implement a longitudinal data system. The longitudinal data
88 system shall be designed for the purpose of using data collected in the
89 state-wide public school information system as follows:

90 (1) Track and report data relating to student, teacher and school and
91 district performance growth and make such information available to
92 local and regional boards of education for use in evaluating
93 educational performance and growth of teachers and students enrolled
94 in public schools in the state. [Such information shall be collected or
95 calculated based on information received from local and regional
96 boards of education and other relevant sources.] Such information
97 shall include, but not be limited to:

98 (A) [In addition to] Data relating to students shall include, but not
99 be limited to, (i) performance on state-wide mastery examinations
100 pursuant to [subsection (b) of this section, data relating to students
101 shall include, but not be limited to, (i)] section 10-14n, in order to allow
102 the department to compare the progress of the same cohort of students
103 who take each examination and to better analyze school performance,
104 (ii) the primary language spoken at the home of a student, [(ii)] (iii)
105 student transcripts, [(iii)] (iv) student attendance and student mobility,
106 and [(iv)] (v) reliable, valid assessments of a student's readiness to
107 enter public school at the kindergarten level. The department shall

108 assign a unique student identifier to each student prior to tracking the
109 performance of a student in the longitudinal data system;

110 (B) Data relating to teachers shall include, but not be limited to, (i)
111 teacher credentials, such as master's degrees, teacher preparation
112 programs completed and certification levels and endorsement areas,
113 (ii) teacher assessments, such as whether a teacher is deemed highly
114 qualified pursuant to [the No Child Left Behind Act, P.L. 107-110, or
115 deemed to meet such other designations as may be established by]
116 federal law or regulations for the purposes of tracking the equitable
117 distribution of instructional staff, (iii) the presence of substitute
118 teachers in a teacher's classroom, (iv) class size, (v) numbers relating to
119 absenteeism in a teacher's classroom, and (vi) the presence of a
120 teacher's aide. The department shall assign a unique teacher identifier
121 to each teacher prior to collecting such data in the [public school
122 information system] longitudinal data system;

123 (C) Data relating to schools and districts shall include, but not be
124 limited to, (i) school population, (ii) annual student graduation rates,
125 (iii) annual teacher retention rates, (iv) school disciplinary records,
126 such as data relating to suspensions, expulsions and other disciplinary
127 actions, (v) the percentage of students whose primary language is not
128 English, (vi) the number of and professional credentials of support
129 personnel, and (vii) information relating to instructional technology,
130 such as access to computers.

131 (2) Collect data relating to student enrollment in and graduation
132 from institutions of higher education for any student who had been
133 assigned a unique student identifier pursuant to subparagraph (A) of
134 subdivision (1) of this subsection, [(b) of this section,] provided such
135 data is available.

136 (3) Develop means for access to and data sharing with the data
137 systems of public institutions of higher education in the state.

138 (d) On or before July 1, [2011] 2013, and each year thereafter until

139 July 1, [2013] 2015, the Commissioner of Education shall report, in
140 accordance with the provisions of section 11-4a, to the joint standing
141 committee of the General Assembly having cognizance of matters
142 relating to education on the progress of the department's efforts to
143 [expand the state-wide public school information system] develop and
144 implement a longitudinal data system pursuant to subsection (c) of
145 this section. The report shall include a full statement of those data
146 elements that are currently included in the system, [and those data
147 elements that will be added on or before July 1, 2013.]

148 (e) The system database of student information shall not be
149 considered a public record for the purposes of section 1-210. Nothing
150 in this section shall be construed to limit the ability of a full-time
151 permanent employee of a nonprofit organization that is exempt from
152 taxation under Section 501(c)(3) of the Internal Revenue Code of 1986,
153 or any subsequent corresponding internal revenue code of the United
154 States, as from time to time amended, and that is organized and
155 operated for educational purposes, to obtain information in accordance
156 with the provisions of subsection (h) of this section.

157 (f) All school districts shall participate in the state-wide public
158 school information system and the longitudinal data system, and
159 report all necessary information required by this section, provided the
160 department provides for technical assistance and training of school
161 staff in the use of the state-wide public school information system and
162 the longitudinal data system.

163 (g) Local and regional boards of education and preschool programs
164 which receive state or federal funding shall participate, in a manner
165 prescribed by the Commissioner of Education, in the state-wide public
166 school information system, described in subsection (b) of this section,
167 and the longitudinal data system, described in subsection (c) of this
168 section. Participation for purposes of this subsection shall include, but
169 not be limited to, reporting on (1) student experiences in preschool by
170 program type and by numbers of months in each such program, and

171 (2) the readiness of students entering kindergarten and student
172 progress in kindergarten. Such reporting shall be done by October 1,
173 [2007] 2013, and annually thereafter.

174 (h) On and after August 1, 2009, upon receipt of a written request to
175 access data maintained under this section by a full-time permanent
176 employee of a nonprofit organization that is exempt from taxation
177 under Section 501(c)(3) of the Internal Revenue Code of 1986, or any
178 subsequent corresponding internal revenue code of the United States,
179 as from time to time amended, and that is organized and operated for
180 educational purposes, the Department of Education shall provide such
181 data to such requesting party not later than sixty days after such
182 request, provided such requesting party shall be responsible for the
183 reasonable cost of such request. The Department of Administrative
184 Services shall monitor the calculation of such fees charged for access to
185 or copies of such records to ensure that such fees are reasonable and
186 consistent with those charged by other state agencies. The Department
187 of Education shall respond to written requests under this section in the
188 order in which they are received.

189 (i) The superintendent of schools of a school district, or his or her
190 designee, may access information in the state-wide public school
191 information system and the longitudinal data system regarding the
192 state-wide mastery examination, under section 10-14n. Such access
193 shall be for the limited purpose of determining examination dates,
194 examination scores and levels of student achievement on such
195 examinations for students enrolled in or transferring to the school
196 district of such superintendent.

197 Sec. 6. Section 42 of public act 12-189 is repealed and the following is
198 substituted in lieu thereof (*Effective from passage*):

199 Notwithstanding the provisions of section 15 of [this act] public act
200 12-189, grants-in-aid for capital start-up costs paid to the Capitol
201 Region Education Council, in accordance with subdivision (1) of

202 subsection [(f)] (e) of section 9 of [this act] public act 12-189, and used
203 pursuant to said subdivision (1) shall not be subject to lien or
204 repayment.

205 Sec. 7. Subsection (a) of section 10-235 of the general statutes is
206 repealed and the following is substituted in lieu thereof (*Effective from*
207 *passage*):

208 (a) Each board of education shall protect and save harmless any
209 member of such board or any teacher or other employee thereof or any
210 member of its supervisory or administrative staff, and the State Board
211 of Education, the Board of Regents for Higher Education, the board of
212 trustees of each state institution and each state agency which employs
213 any teacher, and the managing board of any public school, as defined
214 in section 10-183b, including the governing council of any charter
215 school, shall protect and save harmless any member of such boards, or
216 any teacher or other employee thereof or any member of its
217 supervisory or administrative staff employed by it, from financial loss
218 and expense, including legal fees and costs, if any, arising out of any
219 claim, demand, suit or judgment by reason of alleged negligence or
220 other act resulting in accidental bodily injury to or death of any
221 person, or in accidental damage to or destruction of property, within
222 or without the school building, or any other acts, including but not
223 limited to infringement of any person's civil rights, resulting in any
224 injury, which acts are not wanton, reckless or malicious, provided such
225 teacher, member or employee, at the time of the acts resulting in such
226 injury, damage or destruction, was acting in the discharge of his or her
227 duties or within the scope of employment or under the direction of
228 such board of education, the Board of Regents for Higher Education,
229 board of trustees, state agency, department or managing board;
230 provided that the provisions of this section shall not limit or otherwise
231 affect application of section 4-165 concerning immunity from personal
232 liability. For the purposes of this section, the terms "teacher" and "other
233 employee" shall include (1) any person who is a cooperating teacher [,
234 teacher mentor or assessor] pursuant to section 10-220a, (2) any

235 student teacher doing practice teaching under the direction of a teacher
236 employed by a local or regional board of education or by the State
237 Board of Education or Board of Regents for Higher Education, (3) any
238 student enrolled in a technical high school who is engaged in a
239 supervised health-related field placement program which constitutes
240 all or part of a course of instruction for credit by a technical high
241 school, provided such health-related field placement program is part
242 of the curriculum of such technical high school, and provided further
243 such course is a requirement for graduation or professional licensure
244 or certification, (4) any volunteer approved by a board of education to
245 carry out a duty prescribed by said board and under the direction of a
246 certificated staff member including any person, partnership, limited
247 liability company or corporation providing students with community-
248 based career education, (5) any volunteer approved by a board of
249 education to carry out the duties of a school bus safety monitor as
250 prescribed by said board, (6) any member of the faculty or staff or any
251 student employed by The University of Connecticut Health Center or
252 health services, (7) any student enrolled in a constituent unit of the
253 state system of higher education who is engaged in a supervised
254 program of field work or clinical practice which constitutes all or part
255 of a course of instruction for credit by a constituent unit, provided
256 such course of instruction is part of the curriculum of a constituent
257 unit, and provided further such course (i) is a requirement for an
258 academic degree or professional licensure or (ii) is offered by the
259 constituent unit in partial fulfillment of its accreditation obligations,
260 and (8) any student enrolled in a constituent unit of the state system of
261 higher education who is acting in the capacity of a member of a
262 student discipline committee established pursuant to section 4-188a.

263 Sec. 8. Subdivision (4) of subsection (a) of section 10-155cc of the
264 general statutes is repealed and the following is substituted in lieu
265 thereof (*Effective from passage*):

266 (4) "Comprehensive professional development plan" means [(A) for
267 the fiscal years ending June 30, 1991, and June 30, 1992, the

268 professional development plan required and approved pursuant to
269 subdivision (1) of subsection (b) of section 10-220a and the teacher
270 evaluation program report required pursuant to subsection (b) of
271 section 10-151b, or a comprehensive professional development plan
272 required and approved pursuant to subdivision (2) of subsection (b) of
273 section 10-220a and (B)] for the fiscal year ending June 30, 1993, and
274 each fiscal year thereafter, the comprehensive local professional
275 development plan [required and approved] developed pursuant to
276 [said subdivision (2)] subsection (b) of section 10-220a.

277 Sec. 9. Subsection (h) of section 10-145d of the general statutes is
278 repealed and the following is substituted in lieu thereof (*Effective July*
279 *1, 2013*):

280 (h) Not later than June 1, 2008, the State Board of Education shall, in
281 accordance with the provisions of chapter 54, adopt regulations to
282 provide standards for the certification of marital and family therapists
283 employed by local or regional boards of education. Such regulations
284 shall include certification requirements to be met by (1) licensure as a
285 marital and family therapist under section 20-195c, and (2) such other
286 experience as the State Board of Education deems appropriate for the
287 position of marital and family therapist in a school system. Not later
288 than July 1, 2014, the State Board of Education shall, in accordance
289 with the provisions of chapter 54, amend such regulations to authorize
290 marital and family therapists employed by local or regional boards of
291 education to provide services to students, families and parents or
292 guardians of students.

293 Sec. 10. Subsection (f) of section 10-221a of the general statutes is
294 repealed and the following is substituted in lieu thereof (*Effective July*
295 *1, 2013*):

296 (f) Determination of eligible credits shall be at the discretion of the
297 local or regional board of education, provided the primary focus of the
298 curriculum of eligible credits corresponds directly to the subject matter

299 of the specified course requirements. The local or regional board of
 300 education may permit a student to graduate during a period of
 301 expulsion pursuant to section 10-233d, if the board determines the
 302 student has satisfactorily completed the necessary credits pursuant to
 303 this section. The requirements of this section shall apply to any student
 304 requiring special education pursuant to section 10-76a, except when
 305 the planning and placement team for such student determines the
 306 requirement not to be appropriate. For purposes of this section, a
 307 credit shall consist of not less than the equivalent of a forty-minute
 308 class period for each school day of a school year except for a credit or
 309 part of a credit toward high school graduation earned (1) at an
 310 institution accredited by the Board of Regents for Higher Education or
 311 State Board of Education or regionally accredited, [; or] (2) through on-
 312 line coursework that is in accordance with a policy adopted pursuant
 313 to subsection (g) of this section, or (3) through a demonstration of
 314 mastery based on competency and performance standards, adopted by
 315 the State Board of Education.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2013</i>	10-264l(d)
Sec. 2	<i>July 1, 2013</i>	10-264l(n)
Sec. 3	<i>July 1, 2013</i>	10-10b
Sec. 4	<i>July 1, 2013</i>	10a-55j
Sec. 5	<i>from passage</i>	10-10a
Sec. 6	<i>from passage</i>	PA 12-189Section 42
Sec. 7	<i>from passage</i>	10-235(a)
Sec. 8	<i>from passage</i>	10-155cc(a)(4)
Sec. 9	<i>July 1, 2013</i>	10-145d(h)
Sec. 10	<i>July 1, 2013</i>	10-221a(f)

Statement of Purpose:

To make minor revisions to the education statutes regarding magnet school grant payments and financial audits, the assignment of state-assigned student identifiers, the development and implementation of a state-wide public school information system and a longitudinal data

system, marital and family therapists and high school graduation credits.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]