



General Assembly

January Session, 2013

Raised Bill No. 996

LCO No. 3262



Referred to Committee on EDUCATION

Introduced by:
(ED)

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

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

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2 repealed and the following is substituted in lieu thereof (*Effective from*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

4 (b) Not later than January 1, 2002, and annually thereafter, the
5 Commissioner of Education shall report, in accordance with section 11-
6 4a, to the joint standing committees of the General Assembly having
7 cognizance of matters relating to education, commerce, labor and
8 higher education and employment advancement on (1) the
9 implementation of any recommended programs or strategies within
10 the technical high school system or the community-technical college
11 system to strengthen the linkage between [vocational-technical]
12 technical high school and community-technical college certification
13 and degree programs and the employment needs of business and
14 industry, and (2) any certification or degree programs offered by

15 technical high schools or community-technical colleges that do not
16 meet current industry standards.

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 Section 7-127f of the general statutes is repealed and the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

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

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27 repealed and the following is substituted in lieu thereof (*Effective from*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

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

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

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

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

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

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

76 Sec. 6. Subdivision (1) of subsection (j) of section 10-66bb of the

77 general statutes is repealed and the following is substituted in lieu
78 thereof (*Effective July 1, 2013*):

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

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

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

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

108 *passage*):

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

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

134 (a) The State Board of Education shall award, upon receipt of a
135 proper application, a distinguished educator designation to any person
136 who (1) has successfully completed not less than five years of teaching
137 in a public school or private special education facility approved by the
138 State Board of Education, (2) holds a professional educator certificate,
139 pursuant to section 10-145b, (3) has additional, advanced education

140 beyond a master's degree from a degree or nondegree granting
141 institution in areas to include, but not be limited to, mentorship or
142 coaching of teachers, and (4) meets the performance requirements
143 established by the Department of Education with consideration given
144 to the demonstration of distinguished practice as validated by the
145 department or an entity approved by the department.

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

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

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

163 (d) The Department of Education shall conduct audits of the
164 professional development programs provided by local and regional
165 boards of education. If the State Board of Education determines, based
166 on such audit, that a local or regional board of education is not in
167 compliance with any provision of this section, the State Board of
168 Education may require the local or regional board of education to
169 forfeit [of] the total sum which is paid to such board of education from
170 the State Treasury in an amount determined by the State Board of

171 Education. The amount so forfeited shall be withheld from a grant
172 payment, as determined by the Commissioner of Education, during
173 the fiscal year following the fiscal year in which noncompliance is
174 determined. The State Board of Education may waive such forfeiture if
175 the State Board of Education determines that the failure of the local or
176 regional board of education to comply with the provisions of this
177 section was due to circumstances beyond its control.

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

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

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

199 (d) The contract of employment of a teacher who has attained tenure
200 shall be continued from school year to school year, except that it may
201 be terminated at any time for one or more of the following reasons: (1)

202 Inefficiency, incompetence or ineffectiveness, provided, if a teacher is
203 notified on or after July 1, 2014, that termination is under consideration
204 due to incompetence or ineffectiveness, the determination of
205 incompetence or ineffectiveness is based on evaluation of the teacher
206 using teacher evaluation guidelines established pursuant to section 10-
207 151b; (2) insubordination against reasonable rules of the board of
208 education; (3) moral misconduct; (4) disability, as shown by competent
209 medical evidence; (5) elimination of the position to which the teacher
210 was appointed or loss of a position to another teacher, if no other
211 position exists to which such teacher may be appointed if qualified,
212 provided such teacher, if qualified, shall be appointed to a position
213 held by a teacher who has not attained tenure, and provided further
214 that determination of the individual contract or contracts of
215 employment to be terminated shall be made in accordance with either
216 (A) a provision for a layoff procedure agreed upon by the board of
217 education and the exclusive employees' representative organization, or
218 (B) in the absence of such agreement, a written policy of the board of
219 education; or (6) other due and sufficient cause. Nothing in this section
220 or in any other section of the general statutes or of any special act shall
221 preclude a board of education from making an agreement with an
222 exclusive bargaining representative which contains a recall provision.
223 Prior to terminating a contract, the superintendent shall give the
224 teacher concerned a written notice that termination of such teacher's
225 contract is under consideration and give such teacher a statement of
226 the reasons for such consideration of termination. Not later than ten
227 calendar days after receipt of written notice by the superintendent that
228 contract termination is under consideration, such teacher may file with
229 the local or regional board of education a written request for a hearing.
230 A board of education may designate a subcommittee of three or more
231 board members to conduct hearings and submit written findings and
232 recommendations to the board for final disposition in the case of
233 teachers whose contracts are terminated. Such hearing shall commence
234 not later than fifteen calendar days after receipt of such request, unless
235 the parties mutually agree to an extension, not to exceed fifteen

236 calendar days (A) before the board of education or a subcommittee of
237 the board, or (B) if indicated in such request or if designated by the
238 board before an impartial hearing officer chosen by the teacher and the
239 superintendent. If the parties are unable to agree upon the choice of a
240 hearing officer not later than five calendar days after the decision to
241 use a hearing officer, the hearing officer shall be selected with the
242 assistance of the American Arbitration Association using its expedited
243 selection process and in accordance with its rules for selection of a
244 neutral arbitrator in grievance arbitration. If the hearing officer is not
245 selected with the assistance of such association after five days, the
246 hearing shall be held before the board of education or a subcommittee
247 of the board. When the reason for termination is incompetence or
248 ineffectiveness, the hearing shall (i) address the question of whether
249 the performance evaluation ratings of the teacher were determined in
250 good faith in accordance with the program developed by the local or
251 regional board of education pursuant to section 10-151b and were
252 reasonable in light of the evidence presented, and (ii) be limited to
253 twelve total hours of evidence and testimony, with each side allowed
254 not more than six hours to present evidence and testimony except the
255 board, subcommittee of the board or impartial hearing officer may
256 extend the time period for evidence and testimony at the hearing when
257 good cause is shown. Not later than forty-five calendar days after
258 receipt of the request for a hearing, the subcommittee of the board or
259 hearing officer, unless the parties mutually agree to an extension not to
260 exceed fifteen calendar days, shall submit written findings and a
261 recommendation to the board of education as to the disposition of the
262 charges against the teacher and shall send a copy of such findings and
263 recommendation to the teacher. The board of education shall give the
264 teacher concerned its written decision not later than fifteen calendar
265 days [of] after receipt of the written recommendation of the
266 subcommittee or hearing officer. Each party shall share equally the fee
267 of the hearing officer and all other costs incidental to the hearing. If the
268 hearing is before the board of education, the board shall render its
269 decision not later than fifteen calendar days after the close of such

270 hearing and shall send a copy of its decision to the teacher. The
271 hearing shall be public if the teacher so requests or the board,
272 subcommittee or hearing officer so designates. The teacher concerned
273 shall have the right to appear with counsel at the hearing, whether
274 public or private. A copy of a transcript of the proceedings of the
275 hearing shall be furnished by the board of education, upon written
276 request by the teacher within fifteen days after the board's decision,
277 provided the teacher shall assume the cost of any such copy. Nothing
278 herein contained shall deprive a board of education or superintendent
279 of the power to suspend a teacher from duty immediately when
280 serious misconduct is charged without prejudice to the rights of the
281 teacher as otherwise provided in this section.

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

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

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

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

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

334 Prior to the implementation of the teacher evaluation and support

335 program developed pursuant to subsection (b) of section 10-151b, but
336 not later than July 1, 2014, each local and regional board of education
337 shall conduct training programs for all evaluators and orientation for
338 all teachers employed by such board relating to the provisions of such
339 teacher evaluation and support program developed by such board of
340 education. Such training shall provide instruction to evaluators in how
341 to conduct proper performance evaluations prior to conducting an
342 evaluation under the teacher evaluation and support program. Such
343 orientation shall be completed by each teacher before a teacher
344 receives an evaluation under the teacher evaluation and support
345 program. For purposes of this section, [the term] "teacher" [shall
346 include] includes each professional employee of a board of education,
347 below the rank of superintendent, who holds a certificate or permit
348 issued by the State Board of Education.

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

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

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

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

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

381 (a) Each local or regional board of education shall provide an in-
382 service training program for its teachers, administrators and pupil
383 personnel who hold the initial educator, provisional educator or
384 professional educator certificate. Such program shall provide such
385 teachers, administrators and pupil personnel with information on (1)
386 the nature and the relationship of drugs, as defined in subdivision (17)
387 of section 21a-240, and alcohol to health and personality development,
388 and procedures for discouraging their abuse, (2) health and mental
389 health risk reduction education which includes, but need not be
390 limited to, the prevention of risk-taking behavior by children and the
391 relationship of such behavior to substance abuse, pregnancy, sexually
392 transmitted diseases, including HIV-infection and AIDS, as defined in
393 section 19a-581, violence, teen dating violence, domestic violence, child
394 abuse and youth suicide, (3) the growth and development of
395 exceptional children, including handicapped and gifted and talented
396 children and children who may require special education, including,
397 but not limited to, children with attention-deficit hyperactivity
398 disorder or learning disabilities, and methods for identifying, planning
399 for and working effectively with special needs children in a regular

400 classroom, including, but not limited to, implementation of student
401 individualized education programs, (4) school violence prevention,
402 conflict resolution, the prevention of and response to youth suicide
403 and the identification and prevention of and response to bullying, as
404 defined in subsection (a) of section 10-222d, except that those boards of
405 education that implement any evidence-based model approach that is
406 approved by the Department of Education and is consistent with
407 subsection (d) of section 10-145a, subsection (a) of section 10-220a, as
408 amended by this act, sections 10-222d, 10-222g and 10-222h, subsection
409 (g) of section 10-233c and sections 1 and 3 of public act 08-160, shall not
410 be required to provide in-service training on the identification and
411 prevention of and response to bullying, (5) cardiopulmonary
412 resuscitation and other emergency life saving procedures, (6) computer
413 and other information technology as applied to student learning and
414 classroom instruction, communications and data management, (7) the
415 teaching of the language arts, reading and reading readiness for
416 teachers in grades kindergarten to three, inclusive, (8) second language
417 acquisition in districts required to provide a program of bilingual
418 education pursuant to section 10-17f, (9) the requirements and
419 obligations of a mandated reporter, and (10) the teacher evaluation and
420 support program developed pursuant to subsection (b) of section 10-
421 151b. Each local and regional board of education may allow any
422 paraprofessional or noncertified employee to participate, on a
423 voluntary basis, in any in-service training program provided pursuant
424 to this section. [, and (10) the teacher evaluation and support program
425 developed pursuant to subsection (b) of section 10-151b.] The State
426 Board of Education, within available appropriations and utilizing
427 available materials, shall assist and encourage local and regional
428 boards of education to include: (A) Holocaust and genocide education
429 and awareness; (B) the historical events surrounding the Great Famine
430 in Ireland; (C) African-American history; (D) Puerto Rican history; (E)
431 Native American history; (F) personal financial management; (G)
432 domestic violence and teen dating violence; and (H) topics approved
433 by the state board upon the request of local or regional boards of

434 education as part of in-service training programs pursuant to this
435 subsection.

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

439 (c) Following the establishment of a turnaround committee, the
440 Department of Education shall conduct, in consultation with the local
441 or regional board of education for a school selected to participate in the
442 commissioner's network of schools, the school governance council for
443 such school and such turnaround committee, an operations and
444 instructional audit, as described in subparagraph (A) of subdivision (2)
445 of subsection (e) of section 10-223e, for such school. Such operations
446 and instructional audit shall be conducted pursuant to guidelines
447 issued by the department and shall determine the extent to which the
448 school (1) has established a strong family and community connection
449 to the school; (2) has a positive school environment, as evidenced by a
450 culture of high expectations, a safe and orderly workplace, and that
451 address other nonacademic factors that impact student achievement,
452 such as students' social, emotional, arts, cultural, recreational and
453 health needs; (3) has effective leadership, as evidenced by the school
454 principal's performance appraisals, track record in improving student
455 achievement, ability to lead turnaround efforts, and managerial skills
456 and authority in the areas of scheduling, staff management,
457 curriculum implementation and budgeting; (4) has effective teachers
458 and support staff as evidenced by performance evaluations, policies to
459 retain staff determined to be effective and who have the ability to be
460 successful in the turnaround effort, policies to prevent ineffective
461 teachers from transferring to the schools, and job-embedded, ongoing
462 professional development informed by the teacher evaluation and
463 support programs that are tied to teacher and student needs; (5) uses
464 time effectively as evidenced by the redesign of the school day, week,
465 or year to include additional time for student learning and teacher
466 collaboration; (6) has a curriculum and instructional program that is

467 based on student needs, is research-based, rigorous and aligned with
468 state academic content standards, and serves all children, including
469 students at every achievement level; and (7) uses evidence to inform
470 decision-making and for continuous improvement, including by
471 providing time for collaboration on the use of data. Such operations
472 and instructional audit shall be informed by an inventory of the
473 following: (A) Before and after school programs, (B) any school-based
474 health centers, family resource centers or other community services
475 offered at the school, including, but not limited to, social services,
476 mental health services and parenting support programs, (C) whether
477 scientific research-based interventions are being fully implemented at
478 the school, (D) resources for scientific research-based interventions
479 during the school year and summer school programs, (E) resources for
480 gifted and talented students, (F) the length of the school day and the
481 school year, (G) summer school programs, (H) the alternative high
482 school, if any, available to students at the school, (I) the number of
483 teachers employed at the school and the number of teachers who have
484 left the school in each of the previous three school years, (J) student
485 mobility, including the number of students who have been enrolled in
486 and left the school, (K) the number of students whose primary
487 language is not English, (L) the number of students receiving special
488 education services, (M) the number of truants, (N) the number of
489 students who are eligible for free or reduced price lunches, (O) the
490 number of students who are eligible for HUSKY Plan, Part A, (P) the
491 curricula used at the school, (Q) the reading curricula and programs
492 for kindergarten to grade three, inclusive, if any, at the school, (R) arts
493 and music programs offered at the school, (S) physical education
494 programs offered and periods for recess or physical activity, (T) the
495 number of school psychologists at the school and the ratio of school
496 psychologists to students at the school, (U) the number of social
497 workers at the school and the ratio of social workers to students at the
498 school, (V) the teacher and administrator performance evaluation
499 program, including the frequency of performance evaluations, how
500 such evaluations are conducted and by whom, the standards for

501 performance ratings and follow-up and remediation plans and the
502 aggregate results of teacher performance evaluation ratings conducted
503 pursuant to section 10-151b and any other available measures of
504 teacher effectiveness, (W) professional development activities and
505 programs, (X) teacher and student access to technology inside and
506 outside of the classroom, (Y) student access to and enrollment in
507 mastery test preparation programs, (Z) the availability of textbooks,
508 learning materials and other supplies, (AA) student demographics,
509 including race, gender and ethnicity, [and] (BB) chronic absenteeism,
510 and (CC) preexisting school improvement plans, for the purpose of (i)
511 determining why such school improvement plans have not improved
512 student academic performance, and (ii) identifying governance, legal,
513 operational, staffing or resource constraints that contributed to the lack
514 of student academic performance at such school and should be
515 addressed, modified or removed for such school to improve student
516 academic performance.

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

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

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

528 (d) The school governance council shall have the following
529 responsibilities: (1) Analyzing school achievement data and school
530 needs relative to the improvement plan for the school prepared
531 pursuant to this section; (2) reviewing the fiscal objectives of the draft

532 budget for the school and providing advice to the principal of the
533 school before such school's budget is submitted to the superintendent
534 of schools for the district; (3) participating in the hiring process [of] for
535 the school principal or other administrators of the school by
536 conducting interviews of candidates and reporting on such interviews
537 to the superintendent of schools for the school district and the local
538 and regional board of education; (4) assisting the principal of the
539 school in making programmatic and operational changes for
540 improving the school's achievement, including program changes,
541 adjusting school hours and days of operation, and enrollment goals for
542 the school; (5) working with the school administration to develop and
543 approve a school compact for parents, legal guardians and students
544 that includes an outline of the criteria and responsibilities for
545 enrollment and school membership consistent with the school's goals
546 and academic focus, and the ways that parents and school personnel
547 can build a partnership to improve student learning; (6) developing
548 and approving a written parent involvement policy that outlines the
549 role of parents and legal guardians in the school; (7) utilizing records
550 relating to information about parents and guardians of students
551 maintained by the local or regional board of education for the sole
552 purpose of the election described in subsection (b) of this section. Such
553 information shall be confidential and shall only be disclosed as
554 provided in this subdivision and shall not be further disclosed; and (8)
555 if the council determines it necessary and subject to the provisions of
556 subsection (i) of this section recommending reconstitution of the school
557 in accordance with the provisions of subsection (g) of this section.

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

561 (i) The Department of Education shall allow not more than twenty-
562 five schools per school year to reconstitute pursuant to this
563 [subsection] section. The department shall notify school districts and
564 school governance councils when this limit has been reached. For

565 purposes of this [subdivision] subsection, a reconstitution shall be
566 counted towards this limit upon receipt by the department of
567 notification of a final decision regarding reconstitution by the local or
568 regional board of education.

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

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

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

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

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

592 (a) For the fiscal year ending June 30, 2012, and each fiscal year
593 thereafter, a local or regional board of education, a regional
594 educational service center, a cooperative arrangement pursuant to

595 section 10-158a, or any of the following entities that operate an
596 interdistrict magnet school that assists the state in meeting the goals of
597 the 2008 stipulation and order for Milo Sheff, et al. v. William A.
598 O'Neill, et al., as determined by the Commissioner of Education: (1)
599 The Board of Trustees of the Community-Technical Colleges on behalf
600 of a regional community-technical college, (2) the Board of Trustees of
601 the Connecticut State University System on behalf of a state university,
602 (3) the Board of Trustees for The University of Connecticut on behalf of
603 the university, (4) the board of governors for an independent college or
604 university, as defined in section 10a-37, or the equivalent of such a
605 board, on behalf of the independent college or university, and (5) any
606 other third-party not-for-profit corporation approved by the
607 Commissioner of Education, may be eligible for reimbursement, except
608 as otherwise provided for, up to eighty per cent of the eligible cost of
609 any capital expenditure for the purchase, construction, extension,
610 replacement, leasing or major alteration of interdistrict magnet school
611 facilities, including any expenditure for the purchase of equipment, in
612 accordance with this section. To be eligible for reimbursement under
613 this section a magnet school construction project shall meet the
614 requirements for a school building project established in chapter 173,
615 except that the Commissioner of Construction Services, in consultation
616 with the Commissioner of Education, may waive any requirement in
617 [such] said chapter for good cause. On and after July 1, 2011, the
618 Commissioner of Construction Services shall approve only
619 applications for reimbursement under this section that the
620 Commissioner of Education finds will reduce racial, ethnic and
621 economic isolation. Applications for reimbursement under this section
622 for the construction of new interdistrict magnet schools shall not be
623 accepted until the Commissioner of Education develops a
624 comprehensive state-wide interdistrict magnet school plan, in
625 accordance with the provisions of subdivision (1) of subsection (b) of
626 section 10-264l, unless the Commissioner of Education determines that
627 such construction will assist the state in meeting the goals of the 2008
628 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al.

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

632 (a) (1) (A) A local or regional board of education, (B) a regional
633 educational service center, (C) the Board of Trustees of the
634 Community-Technical Colleges on behalf of Quinebaug Valley
635 Community College and Three Rivers Community College, (D) a
636 cooperative arrangement pursuant to section 10-158a, or (E) to assist
637 the state in meeting the goals of the 2008 stipulation and order for Milo
638 Sheff, et al. v. William A. O'Neill, et al., as determined by the
639 Commissioner of Education, (i) the Board of Trustees of the
640 Community-Technical Colleges on behalf of a regional community-
641 technical college, (ii) the Board of Trustees of the Connecticut State
642 University System on behalf of a state university, (iii) the Board of
643 Trustees for The University of Connecticut on behalf of the university,
644 (iv) the board of governors for an independent college or university, as
645 defined in section 10a-37, or the equivalent of such a board, on behalf
646 of the independent college or university, and (v) any other third-party
647 not-for-profit corporation approved by the commissioner which
648 transports a child to an interdistrict magnet school program, as defined
649 in section 10-264l, as amended by this act, in a town other than the
650 town in which the child resides shall be eligible pursuant to section 10-
651 264e to receive a grant for the cost of transporting such child in
652 accordance with this section.

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

656 (3) (A) Except as otherwise provided in subparagraphs (C) to (F),
657 inclusive, of this subdivision, each interdistrict magnet school operated
658 by a regional educational service center that enrolls less than fifty-five
659 per cent of the school's students from a single town shall receive a per
660 pupil grant in the amount of (i) six thousand two hundred fifty dollars

661 for the fiscal year ending June 30, 2006, (ii) six thousand five hundred
662 dollars for the fiscal year ending June 30, 2007, (iii) seven thousand
663 sixty dollars for the fiscal year ending June 30, 2008, (iv) seven
664 thousand six hundred twenty dollars for the fiscal [year] years ending
665 June 30, 2009, to June 30, 2012, inclusive, and (v) seven thousand nine
666 hundred dollars for the fiscal year ending June 30, 2013, and each fiscal
667 year thereafter.

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

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

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

693 of higher education in the state, [who] are graduating seniors and are
694 academically in the top ten per cent of their graduating class.

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

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

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

705 (4) The commissioner shall be the guardian of such child or youth
706 for the duration of the commitment, provided the child or youth has
707 not reached the age of eighteen years or, in the case of a child or youth
708 in full-time attendance in a secondary school, a technical high school, a
709 college or a state-accredited job training program, provided such child
710 or youth has not reached the age of twenty-one years, by consent of
711 such child or youth, or until another guardian has been legally
712 appointed, and in like manner, upon such vesting of the care of such
713 child or youth, such other public or private agency or individual shall
714 be the guardian of such child or youth until such child or youth has
715 reached the age of eighteen years or, in the case of a child or youth in
716 full-time attendance in a secondary school, a technical high school, a
717 college or a state-accredited job training program, until such child or
718 youth has reached the age of twenty-one years or until another
719 guardian has been legally appointed. The commissioner may place any
720 child or youth so committed to the commissioner in a suitable foster
721 home or in the home of a person related by blood or marriage to such
722 child or youth or in a licensed child-caring institution or in the care
723 and custody of any accredited, licensed or approved child-caring

724 agency, within or without the state, provided a child shall not be
 725 placed outside the state except for good cause and unless the parents
 726 or guardian of such child are notified in advance of such placement
 727 and given an opportunity to be heard, or in a receiving home
 728 maintained and operated by the Commissioner of Children and
 729 Families. In placing such child or youth, the commissioner shall, if
 730 possible, select a home, agency, institution or person of like religious
 731 faith to that of a parent of such child or youth, if such faith is known or
 732 may be ascertained by reasonable inquiry, provided such home
 733 conforms to the standards of said commissioner and the commissioner
 734 shall, when placing siblings, if possible, place such children together.
 735 Upon the issuance of an order committing the child or youth to the
 736 Commissioner of Children and Families, or not later than sixty days
 737 after the issuance of such order, the court shall determine whether the
 738 Department of Children and Families made reasonable efforts to keep
 739 the child or youth with his or her parents or guardian prior to the
 740 issuance of such order and, if such efforts were not made, whether
 741 such reasonable efforts were not possible, taking into consideration the
 742 child's or youth's best interests, including the child's or youth's health
 743 and safety.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	4-124z(b)
Sec. 2	<i>from passage</i>	7-127f
Sec. 3	<i>from passage</i>	8-210(d)
Sec. 4	<i>from passage</i>	10-5(a)
Sec. 5	<i>from passage</i>	10-14u(d)(3)
Sec. 6	<i>July 1, 2013</i>	10-66bb(j)(1)
Sec. 7	<i>from passage</i>	10-73a(d)
Sec. 8	<i>from passage</i>	10-145o(f)
Sec. 9	<i>from passage</i>	10-145s
Sec. 10	<i>from passage</i>	10-148a(d)
Sec. 11	<i>from passage</i>	10-148b(a)
Sec. 12	<i>July 1, 2014</i>	10-151(d) and (e)

Sec. 13	<i>from passage</i>	10-151f(a) and (b)
Sec. 14	<i>from passage</i>	10-151h
Sec. 15	<i>from passage</i>	10-212a(d)
Sec. 16	<i>from passage</i>	10-212e
Sec. 17	<i>from passage</i>	10-220a(a)
Sec. 18	<i>from passage</i>	10-223h(c)
Sec. 19	<i>from passage</i>	10-223j(b)(3)
Sec. 20	<i>from passage</i>	10-223j(d)
Sec. 21	<i>from passage</i>	10-223j(i)
Sec. 22	<i>from passage</i>	10-262t
Sec. 23	<i>from passage</i>	10-262u(g)
Sec. 24	<i>from passage</i>	10-264h(a)
Sec. 25	<i>from passage</i>	10-264i(a)(1)
Sec. 26	<i>from passage</i>	10-264l(c)(3)(A) and (B)
Sec. 27	<i>from passage</i>	10-265o
Sec. 28	<i>from passage</i>	11-89
Sec. 29	<i>from passage</i>	46b-129(j)(4)

Statement of Purpose:

To make technical revisions to the education statutes.

[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.]