



General Assembly

January Session, 2013

Raised Bill No. 1097

LCO No. 4193



Referred to Committee on EDUCATION

Introduced by:
(ED)

***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 Section 10-151b of the general statutes is repealed and the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 superintendent of each local or regional board of education
4 shall annually evaluate or cause to be evaluated each teacher, and for
5 the school year commencing July 1, 2014, and each school year
6 thereafter, such annual evaluations shall be in accordance with
7 [guidelines established by the State Board of Education, pursuant to
8 subsection (c) of this section, and such other guidelines as may be
9 established by mutual agreement between the local or regional board
10 of education and the teachers' representative chosen pursuant to
11 section 10-153b] the teacher evaluation and support program adopted
12 pursuant to subsection (b) of this section, and may conduct additional
13 formative evaluations toward producing an annual summative
14 evaluation. An evaluation pursuant to this subsection shall include,
15 but need not be limited to, strengths, areas needing improvement,

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

29 (b) (1) Except as provided in subsection (d) of this section, not later
30 than September 1, [2013] 2014, each local and regional board of
31 education shall [develop] adopt and implement a teacher evaluation
32 [programs] and support program. Such teacher evaluation and
33 support program shall be developed through mutual agreement with
34 the professional development and evaluation committee for the school
35 district, described in subsection (b) of section 10-220a, as amended by
36 this act, and be consistent with the guidelines adopted by the State
37 Board of Education, pursuant to subsection (c) of this section, and
38 consistent with the plan developed, [in accordance with the provisions
39 of] pursuant to subsection (b) of section 10-220a, as amended by this
40 act. If a local or regional board of education is unable to develop a
41 teacher evaluation and support program through mutual agreement
42 with the professional development and evaluation committee for the
43 school district, then such local or regional board of education shall
44 implement the model teacher evaluation and support program,
45 developed pursuant to subsection (c) of this section.

46 (2) Not later than June thirtieth of each year, each superintendent
47 shall report to the Commissioner of Education the status of the
48 implementation of the teacher [evaluations] evaluation and support

49 program, including the frequency of evaluations, aggregate evaluation
50 ratings, the number of teachers who have not been evaluated and other
51 requirements as determined by the Department of Education.

52 (c) (1) On or before July 1, 2012, the State Board of Education shall
53 adopt, in consultation with the Performance Evaluation Advisory
54 Council established pursuant to section 10-151d, as amended by this
55 act, guidelines for a model teacher evaluation and support program.
56 Such guidelines shall include, but not be limited to, ~~[(1)]~~ (A) the use of
57 four performance evaluations designators: Exemplary, proficient,
58 developing and below standard; ~~[(2)]~~ (B) the use of multiple indicators
59 of student academic growth and development in teacher evaluations;
60 ~~[(3)]~~ (C) methods for assessing student academic growth and
61 development; ~~[(4)]~~ (D) a consideration of control factors tracked by the
62 state-wide public school information system, pursuant to subsection
63 (c) of section 10-10a, that may influence teacher performance ratings,
64 including, but not limited to, student characteristics, student
65 attendance and student mobility; ~~[(5)]~~ (E) minimum requirements for
66 teacher evaluation instruments and procedures, including scoring
67 systems to determine exemplary, proficient, developing and below
68 standard ratings; ~~[(6)]~~ (F) the development and implementation of
69 periodic training programs regarding the teacher evaluation and
70 support program to be offered by the local or regional board of
71 education or regional educational service center for the school district
72 to teachers who are employed by such local or regional board of
73 education and whose performance is being evaluated and to
74 administrators who are employed by such local or regional board of
75 education and who are conducting performance evaluations; ~~[(7)]~~ (G)
76 the provision of professional development services based on the
77 individual or group of individuals' needs that are identified through
78 the evaluation process; ~~[(8)]~~ (H) the creation of individual teacher
79 improvement and remediation plans for teachers whose performance
80 is developing or below standard, designed in consultation with such
81 teacher and his or her exclusive bargaining representative for certified

82 teachers chosen pursuant to section 10-153b, and that [(A)] (i) identify
83 resources, support and other strategies to be provided by the local or
84 regional board of education to address documented deficiencies, [(B)]
85 (ii) indicate a timeline for implementing such resources, support, and
86 other strategies, in the course of the same school year as the plan is
87 issued, and [(C)] (iii) include indicators of success including a
88 summative rating of proficient or better immediately at the conclusion
89 of the improvement and remediation plan; [(9)] (I) opportunities for
90 career development and professional growth; and [(10)] (II) a validation
91 procedure to audit evaluation ratings of exemplary or below standard
92 by the department, or a third-party entity approved by the
93 department, to validate such exemplary or below standard evaluation
94 ratings.

95 (2) On or before October 1, 2013, the State Board of Education shall
96 adopt, in consultation with the Performance Evaluation Advisory
97 Council established pursuant to section 10-151d, as amended by this
98 act, a model teacher evaluation and support program that is consistent
99 with the guidelines adopted pursuant to subdivision (1) of this
100 subsection.

101 (3) The State Board of Education, following the completion of the
102 teacher evaluation and support pilot program, pursuant to section 10-
103 151f, as amended by this act, and the submission of the study of such
104 pilot program, pursuant to section 10-151g, as amended by this act,
105 shall validate the guidelines and model teacher evaluation and support
106 program adopted under this subsection.

107 (d) The State Board of Education may waive the provisions of
108 subdivision (1) of subsection (b) of this section for any local or regional
109 board of education that has developed a teacher evaluation program
110 prior to the validation of the model teacher evaluation and support
111 program guidelines described in subsection (c) of this section and that
112 the State Board of Education determines is in substantial compliance
113 with such model teacher evaluation and support program guidelines.

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

117 (a) Each local or regional board of education shall provide an in-
118 service training program for its teachers, administrators and pupil
119 personnel who hold the initial educator, provisional educator or
120 professional educator certificate. Such program shall provide such
121 teachers, administrators and pupil personnel with information on (1)
122 the nature and the relationship of drugs, as defined in subdivision (17)
123 of section 21a-240, and alcohol to health and personality development,
124 and procedures for discouraging their abuse, (2) health and mental
125 health risk reduction education which includes, but need not be
126 limited to, the prevention of risk-taking behavior by children and the
127 relationship of such behavior to substance abuse, pregnancy, sexually
128 transmitted diseases, including HIV-infection and AIDS, as defined in
129 section 19a-581, violence, teen dating violence, domestic violence, child
130 abuse and youth suicide, (3) the growth and development of
131 exceptional children, including handicapped and gifted and talented
132 children and children who may require special education, including,
133 but not limited to, children with attention-deficit hyperactivity
134 disorder or learning disabilities, and methods for identifying, planning
135 for and working effectively with special needs children in a regular
136 classroom, including, but not limited to, implementation of student
137 individualized education programs, (4) school violence prevention,
138 conflict resolution, the prevention of and response to youth suicide
139 and the identification and prevention of and response to bullying, as
140 defined in subsection (a) of section 10-222d, except that those boards of
141 education that implement any evidence-based model approach that is
142 approved by the Department of Education and is consistent with
143 subsection (d) of section 10-145a, subsection (a) of section 10-220a, as
144 amended by this act, sections 10-222d, 10-222g and 10-222h, subsection
145 (g) of section 10-233c and sections 1 and 3 of public act 08-160, shall not
146 be required to provide in-service training on the identification and

147 prevention of and response to bullying, (5) cardiopulmonary
148 resuscitation and other emergency life saving procedures, (6) computer
149 and other information technology as applied to student learning and
150 classroom instruction, communications and data management, (7) the
151 teaching of the language arts, reading and reading readiness for
152 teachers in grades kindergarten to three, inclusive, (8) second language
153 acquisition in districts required to provide a program of bilingual
154 education pursuant to section 10-17f, (9) the requirements and
155 obligations of a mandated reporter. Each local and regional board of
156 education may allow any paraprofessional or noncertified employee to
157 participate, on a voluntary basis, in any in-service training program
158 provided pursuant to this section, and (10) the teacher evaluation and
159 support program [developed] adopted pursuant to subsection (b) of
160 section 10-151b, as amended by this act. The State Board of Education,
161 within available appropriations and utilizing available materials, shall
162 assist and encourage local and regional boards of education to include:
163 (A) Holocaust and genocide education and awareness; (B) the
164 historical events surrounding the Great Famine in Ireland; (C) African-
165 American history; (D) Puerto Rican history; (E) Native American
166 history; (F) personal financial management; (G) domestic violence and
167 teen dating violence; and (H) topics approved by the state board upon
168 the request of local or regional boards of education as part of in-service
169 training programs pursuant to this subsection.

170 (b) Not later than a date prescribed by the commissioner, each local
171 and regional board of education shall establish a professional
172 development and evaluation committee consisting of certified
173 employees, and such other school personnel as the board deems
174 appropriate, including representatives of the exclusive bargaining
175 representative for such employees chosen pursuant to subsection (b) of
176 section 10-153. The duties of such committees shall include, but not be
177 limited to, participate in the development of a teacher evaluation and
178 support program for the district, pursuant to section 10-151b, as
179 amended by this act, and the development, evaluation and annual

180 updating of a comprehensive local professional development plan for
181 certified employees of the district. Such plan shall: (1) Be directly
182 related to the educational goals prepared by the local or regional board
183 of education pursuant to subsection (b) of section 10-220, (2) on and
184 after July 1, 2011, be developed with full consideration of the priorities
185 and needs related to student outcomes as determined by the State
186 Board of Education, and (3) provide for the ongoing and systematic
187 assessment and improvement of both teacher evaluation and
188 professional development of the professional staff members of each
189 such board, including personnel management and evaluation training
190 or experience for administrators, shall be related to regular and special
191 student needs and may include provisions concerning career
192 incentives and parent involvement. The State Board of Education shall
193 develop guidelines to assist local and regional boards of education in
194 determining the objectives of the plans and in coordinating staff
195 development activities with student needs and school programs.

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

198 (a) There is established a Performance Evaluation Advisory Council
199 within the Department of Education. Membership of the council shall
200 consist of: (1) The Commissioner of Education and the president of the
201 Board of Regents for Higher Education, or their designees, (2) one
202 representative from each of the following associations, designated by
203 the association, the Connecticut Association of Boards of Education,
204 the Connecticut Association of Public School Superintendents, the
205 Connecticut Federation of School Administrators, the Connecticut
206 Education Association and the American Federation of Teachers-
207 Connecticut, and (3) persons selected by the Commissioner of
208 Education who shall include, but not be limited to, teachers, persons
209 with expertise in performance evaluation processes and systems, and
210 any other person the commissioner deems appropriate.

211 (b) The council shall be responsible for (1) assisting the State Board

212 of Education in the development [and implementation of the] of (A)
213 guidelines for a model teacher evaluation [guidelines] and support
214 program, and (B) a model teacher evaluation and support program,
215 pursuant to subsection (c) of section 10-151b, as amended by this act,
216 and (2) the data collection and evaluation support system, pursuant to
217 subsection (c) of section 10-10a. The council shall meet at least
218 quarterly.

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

222 (d) The contract of employment of a teacher who has attained tenure
223 shall be continued from school year to school year, except that it may
224 be terminated at any time for one or more of the following reasons: (1)
225 Inefficiency, incompetence or ineffectiveness, provided, if a teacher is
226 notified on or after July 1, [2014] 2015, that termination is under
227 consideration due to incompetence or ineffectiveness, the
228 determination of incompetence or ineffectiveness is based on
229 evaluation of the teacher using teacher evaluation guidelines
230 established pursuant to section 10-151b, as amended by this act; (2)
231 insubordination against reasonable rules of the board of education; (3)
232 moral misconduct; (4) disability, as shown by competent medical
233 evidence; (5) elimination of the position to which the teacher was
234 appointed or loss of a position to another teacher, if no other position
235 exists to which such teacher may be appointed if qualified, provided
236 such teacher, if qualified, shall be appointed to a position held by a
237 teacher who has not attained tenure, and provided further that
238 determination of the individual contract or contracts of employment to
239 be terminated shall be made in accordance with either (A) a provision
240 for a layoff procedure agreed upon by the board of education and the
241 exclusive employees' representative organization, or (B) in the absence
242 of such agreement, a written policy of the board of education; or (6)
243 other due and sufficient cause. Nothing in this section or in any other
244 section of the general statutes or of any special act shall preclude a

245 board of education from making an agreement with an exclusive
246 bargaining representative which contains a recall provision. Prior to
247 terminating a contract, the superintendent shall give the teacher
248 concerned a written notice that termination of such teacher's contract is
249 under consideration and give such teacher a statement of the reasons
250 for such consideration of termination. Not later than ten calendar days
251 after receipt of written notice by the superintendent that contract
252 termination is under consideration, such teacher may file with the local
253 or regional board of education a written request for a hearing. A board
254 of education may designate a subcommittee of three or more board
255 members to conduct hearings and submit written findings and
256 recommendations to the board for final disposition in the case of
257 teachers whose contracts are terminated. Such hearing shall commence
258 not later than fifteen calendar days after receipt of such request, unless
259 the parties mutually agree to an extension, not to exceed fifteen
260 calendar days (A) before the board of education or a subcommittee of
261 the board, or (B) if indicated in such request or if designated by the
262 board before an impartial hearing officer chosen by the teacher and the
263 superintendent. If the parties are unable to agree upon the choice of a
264 hearing officer not later than five calendar days after the decision to
265 use a hearing officer, the hearing officer shall be selected with the
266 assistance of the American Arbitration Association using its expedited
267 selection process and in accordance with its rules for selection of a
268 neutral arbitrator in grievance arbitration. If the hearing officer is not
269 selected with the assistance of such association after five days, the
270 hearing shall be held before the board of education or a subcommittee
271 of the board. When the reason for termination is incompetence or
272 ineffectiveness, the hearing shall (i) address the question of whether
273 the performance evaluation ratings of the teacher were determined in
274 good faith in accordance with the program [developed] adopted by the
275 local or regional board of education pursuant to section 10-151b, as
276 amended by this act, and were reasonable in light of the evidence
277 presented, and (ii) be limited to twelve total hours of evidence and
278 testimony, with each side allowed not more than six hours to present

279 evidence and testimony except the board, subcommittee of the board
280 or impartial hearing officer may extend the time period for evidence
281 and testimony at the hearing when good cause is shown. Not later
282 than forty-five calendar days after receipt of the request for a hearing,
283 the subcommittee of the board or hearing officer, unless the parties
284 mutually agree to an extension not to exceed fifteen calendar days,
285 shall submit written findings and a recommendation to the board of
286 education as to the disposition of the charges against the teacher and
287 shall send a copy of such findings and recommendation to the teacher.
288 The board of education shall give the teacher concerned its written
289 decision not later than fifteen calendar days of receipt of the written
290 recommendation of the subcommittee or hearing officer. Each party
291 shall share equally the fee of the hearing officer and all other costs
292 incidental to the hearing. If the hearing is before the board of
293 education, the board shall render its decision not later than fifteen
294 calendar days after the close of such hearing and shall send a copy of
295 its decision to the teacher. The hearing shall be public if the teacher so
296 requests or the board, subcommittee or hearing officer so designates.
297 The teacher concerned shall have the right to appear with counsel at
298 the hearing, whether public or private. A copy of a transcript of the
299 proceedings of the hearing shall be furnished by the board of
300 education, upon written request by the teacher within fifteen days
301 after the board's decision, provided the teacher shall assume the cost of
302 any such copy. Nothing herein contained shall deprive a board of
303 education or superintendent of the power to suspend a teacher from
304 duty immediately when serious misconduct is charged without
305 prejudice to the rights of the teacher as otherwise provided in this
306 section.

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

310 (b) Local and regional boards of education shall offer professional
311 development activities to certified employees as part of the plan

312 developed pursuant to subsection (b) of section 10-220a, as amended
313 by this act, or for any individual certified employee. Such professional
314 development activities may be made available by a board of education
315 directly, through a regional educational service center or cooperative
316 arrangement with another board of education or through
317 arrangements with any professional development provider approved
318 by the Commissioner of Education. Such professional development
319 activities shall (1) improve the integration of reading instruction,
320 literacy and numeracy enhancement, and cultural awareness into
321 instructional practice, (2) include strategies to improve English
322 language learner instruction into instructional practice, (3) be
323 determined by each board of education with the advice and assistance
324 of the teachers employed by such board, including representatives of
325 the exclusive bargaining unit for such teachers pursuant to section 10-
326 153b, and on and after July 1, 2012, in full consideration of priorities
327 and needs related to student outcomes as determined by the State
328 Board of Education, (4) use the results and findings of teacher and
329 administrator performance evaluations, conducted pursuant to section
330 10-151b, as amended by this act, to improve teacher and administrator
331 practice and provide professional growth, and (5) include training in
332 the implementation of student individualized education programs and
333 the communication of individualized education program procedures
334 to parents or guardians of students who require special education and
335 related services for certified employees with an endorsement in special
336 education who hold a position requiring such an endorsement.
337 Professional development completed by superintendents of schools
338 and administrators, as defined in section 10-144e, shall include at least
339 fifteen hours of training in the evaluation and support of teachers
340 under the teacher and administrator evaluation and support program,
341 adopted pursuant to [subdivision (2) of subsection (b) of] section 10-
342 151b, as amended by this act, during each five-year period. The time
343 and location for the provision of such activities shall be in accordance
344 with either an agreement between the board of education and the
345 exclusive bargaining unit pursuant to section 10-153b or, in the absence

346 of such agreement or to the extent such agreement does not provide
347 for the time and location of all such activities, in accordance with a
348 determination by the board of education.

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

352 (b) The teacher evaluation and support pilot program described in
353 subdivision (1) of subsection (a) of this section shall (1) assess and
354 evaluate the implementation of a teacher evaluation and support
355 program [developed] adopted by a local or regional board of
356 education pursuant to subsection (b) of section 10-151b, as amended by
357 this act, that is in compliance with the guidelines for a teacher
358 evaluation and support program adopted pursuant to subsection (c) of
359 section 10-151b, as amended by this act, (2) identify district needs for
360 technical assistance and support in implementing such teacher
361 evaluation and support program, (3) provide training to
362 administrators in how to conduct performance evaluations under the
363 teacher evaluation and support program, (4) provide orientation to
364 teachers being evaluated under the teacher evaluation and support
365 program, (5) include a validation process for performance evaluations
366 to be conducted by the Department of Education, or the department's
367 designee, and (6) provide funding for the administration of the teacher
368 evaluation and support program developed by the local or regional
369 board of education.

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

373 (b) Upon completion of such study, but not later than January 1,
374 2014, the Neag School of Education at The University of Connecticut
375 shall (1) submit to the State Board of Education such study and any
376 [recommendation] recommendations concerning the validation of the

377 (A) guidelines for a model teacher evaluation and support program,
378 [guidelines] and (B) model teacher evaluation and support program,
379 adopted by the State Board of Education pursuant to subsection (c) of
380 section 10-151b, as amended by this act, and (2) submit such study to
381 the joint standing committee of the General Assembly having
382 cognizance of matters relating to education, in accordance with the
383 provisions of section 11-4a.

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

386 Prior to the implementation of the teacher evaluation and support
387 program [developed] adopted pursuant to subsection (b) of section 10-
388 151b, as amended by this act, [but not later than July 1, 2014,] each
389 local and regional board of education shall conduct training programs
390 for all evaluators and orientation for all teachers employed by such
391 board relating to the provisions of such teacher evaluation and support
392 program [developed] adopted by such board of education. Such
393 training shall provide instruction to evaluators in how to conduct
394 proper performance evaluations prior to conducting an evaluation
395 under the teacher evaluation and support program. Such orientation
396 shall be completed by each teacher before a teacher receives an
397 evaluation under the teacher evaluation and support program. For
398 purposes of this section, the term "teacher" shall include each
399 professional employee of a board of education, below the rank of
400 superintendent, who holds a certificate or permit issued by the State
401 Board of Education.

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

404 On July 1, 2014, and annually thereafter, the Commissioner of
405 Education shall randomly select, within available appropriations, at
406 least ten teacher evaluation and support programs [developed]
407 adopted pursuant to section 10-151b, as amended by this act, to be

408 subject to a comprehensive audit conducted by the Department of
409 Education. The department shall submit the results of such audits to
410 the joint standing committee of the General Assembly having
411 cognizance of matters relating to education, in accordance with the
412 provisions of section 11-4a.

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

416 (c) (1) For the fiscal year ending June 30, 2014, and each fiscal year
417 thereafter, the State Board of Education may approve, within available
418 appropriations, a per student grant to a local charter school described
419 in subsection (b) of section 10-66nn in an amount not to exceed three
420 thousand dollars for each student enrolled in such local charter school,
421 provided the local or regional board of education for such local charter
422 school and the representatives of the exclusive bargaining unit for
423 certified employees, chosen pursuant to section 10-153b, mutually
424 agree on staffing flexibility in such local charter school, and such
425 agreement is approved by the State Board of Education. For the
426 purposes of equalization aid grants pursuant to section 10-262h, the
427 state shall make such payments, in accordance with this subsection, to
428 the town in which a local charter school is located as follows: Twenty-
429 five per cent of the amount not later than July fifteenth and September
430 first based on estimated student enrollment on May first, and twenty-
431 five per cent of the amount not later than January first and the
432 remaining amount not later than April [fifteenth] first, each based on
433 student enrollment on October first.

434 (2) The town shall pay to the fiscal authority for a local charter
435 school the portion of the amount paid to the town pursuant to
436 subdivision (1) of this subsection attributable for students enrolled in
437 such local charter school. Such payments shall be made as follows:
438 Twenty-five per cent of the amount not later than July twentieth and
439 September fifteenth and twenty-five per cent of the amount not later

440 than January fifteenth and the remaining amount not later than April
441 [fifteenth] first.

442 (d) (1) For the purposes of equalization aid grants pursuant to
443 section 10-262h, the state shall pay in accordance with this subsection,
444 to the town in which a state charter school is located for each student
445 enrolled in such school, for the fiscal year ending June 30, 2013, ten
446 thousand two hundred dollars, for the fiscal year ending June 30, 2014,
447 eleven thousand dollars, and for the fiscal year ending June 30, 2015,
448 and each fiscal year thereafter, eleven thousand five hundred dollars.
449 Such payments shall be made as follows: Twenty-five per cent of the
450 amount not later than July fifteenth and September first based on
451 estimated student enrollment on May first, and twenty-five per cent of
452 the amount not later than January first and the remaining amount not
453 later than April [fifteenth] first, each based on student enrollment on
454 October first. Notwithstanding the provisions of this subdivision, the
455 payment of the remaining amount made not later than April 15, 2013,
456 shall be within available appropriations and may be adjusted for each
457 student on a pro rata basis.

458 (2) The town shall pay to the fiscal authority for a state charter
459 school the portion of the amount paid to the town pursuant to
460 subdivision (1) of this subsection attributable for students enrolled in
461 such state charter school. Such payments shall be made as follows:
462 Twenty-five per cent of the amount not later than July twentieth and
463 September fifteenth and twenty-five per cent of the amount not later
464 than January fifteenth and the remaining amount not later than April
465 fifteenth.

466 (3) In the case of a student identified as requiring special education,
467 the school district in which the student resides shall: (A) Hold the
468 planning and placement team meeting for such student and shall
469 invite representatives from the charter school to participate in such
470 meeting; and (B) pay the state charter school, on a quarterly basis, an
471 amount equal to the difference between the reasonable cost of

472 educating such student and the sum of the amount received by the
473 state charter school for such student pursuant to subdivision (2) of this
474 subsection and amounts received from other state, federal, local or
475 private sources calculated on a per pupil basis. Such school district
476 shall be eligible for reimbursement pursuant to section 10-76g. The
477 charter school a student requiring special education attends shall be
478 responsible for ensuring that such student receives the services
479 mandated by the student's individualized education program whether
480 such services are provided by the charter school or by the school
481 district in which the student resides.

482 Sec. 11. Subsection (b) of section 10-76kk of the general statutes is
483 repealed and the following is substituted in lieu thereof (*Effective July*
484 *1, 2013*):

485 (b) The Department of Education shall study the plans and
486 strategies used by a local or regional board of education that
487 demonstrate improvement in the reduction of the misidentification of
488 minority students requiring special education under this section. Such
489 study shall examine the [correlation] association between
490 improvements in teacher training in the science of reading and the
491 reduction in misidentification of students requiring special education
492 services.

493 Sec. 12. Subsection (a) of section 10-14t of the general statutes is
494 repealed and the following is substituted in lieu thereof (*Effective July*
495 *1, 2013*):

496 (a) On or before January 1, 2013, the Department of Education shall
497 develop or approve reading assessments for use by local and regional
498 boards of education for the school year commencing July 1, [2013]
499 2014, and each school year thereafter, to identify students in
500 kindergarten to grade three, inclusive, who are below proficiency in
501 reading, provided any reading assessments developed or approved by
502 the department include frequent screening and progress monitoring of

503 students. Such reading assessments shall (1) measure phonics,
504 phonemic awareness, fluency, vocabulary, and comprehension, (2)
505 provide opportunities for periodic formative assessment during the
506 school year, (3) produce data that is useful for informing individual
507 and classroom instruction, including the grouping of students based
508 on such data and the selection of instructional activities based on data
509 of individual student response patterns during such progress
510 monitoring, and (4) be compatible with best practices in reading
511 instruction and research.

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

514 (a) As used in this section:

515 (1) "Achievement gap" means the existence of a significant disparity
516 in the academic performance of students among and between (A)
517 racial groups, (B) ethnic groups, (C) socioeconomic groups, (D)
518 genders, and (E) English language learners and students whose
519 primary language is English.

520 (2) "Scientifically-based reading research and instruction" means (A)
521 a comprehensive program or a collection of instructional practices that
522 is based on reliable, valid evidence showing that when such programs
523 or practices are used, students can be expected to achieve satisfactory
524 reading progress, and (B) the integration of instructional strategies for
525 continuously assessing, evaluating and communicating the student's
526 reading progress and needs in order to design and implement ongoing
527 interventions so that students of all ages and proficiency levels can
528 read and comprehend text and apply higher level thinking skills. Such
529 comprehensive program or collection of practices shall include, but not
530 be limited to, instruction in five areas of reading: Phonemic awareness,
531 phonics, fluency, vocabulary, and text comprehension.

532 (b) For the school year commencing July 1, [2012] 2014, and each
533 school year thereafter, the Commissioner of Education shall create an

534 intensive reading instruction program to improve student literacy in
535 grades kindergarten to grade three, inclusive, and close the
536 achievement gap. Such intensive reading instruction program shall
537 include routine reading assessments for students in kindergarten to
538 grade three, inclusive, scientifically-based reading research and
539 instruction, an intensive reading intervention strategy, as described in
540 subsection (c) of this section, supplemental reading instruction and
541 reading remediation plans, as described in subsection (d) of this
542 section, and an intensive summer school reading program, as
543 described in subsection (e) of this section. For the school year
544 commencing July 1, [2012] 2014, the commissioner shall select five
545 elementary schools that are (1) located in an educational reform
546 district, as defined in section 10-262u, (2) participating in the
547 commissioner's network of schools, pursuant to section 10-223h, or (3)
548 among the lowest five per cent of elementary schools in school subject
549 performance indices for reading and mathematics, as defined in
550 section 10-223e, to participate in the intensive reading instruction
551 program and for the school year commencing July 1, [2013] 2014, and
552 each school year thereafter, the commissioner may select up to five
553 such schools to participate in the intensive reading instruction
554 program.

555 (c) On or before July 1, [2012] 2014, the Department of Education
556 shall develop an intensive reading intervention strategy for use by
557 schools selected by the Commissioner of Education to participate in
558 the intensive reading instruction program to address the achievement
559 gap at such schools and to ensure that all students are reading
560 proficiently by grade three in such schools. Such intensive reading
561 intervention strategy for schools shall (1) include, but not be limited to,
562 (A) rigorous assessments in reading skills, (B) scientifically-based
563 reading research and instruction, (C) one external literacy coach for
564 each school, to be funded by the department, who will work with the
565 reading data collected, support the principal of the school as needed,
566 observe, and coach classes and supervise the reading interventions, (D)

567 four reading interventionists for each school, to be funded by the
568 department, who will develop a reading remediation plan for any
569 student who is reading below proficiency, be responsible for all
570 supplemental reading instruction, and conduct reading assessments as
571 needed, and (E) training for teachers and administrators in
572 scientifically-based reading research and instruction, including,
573 training for school administrators on how to assess a classroom to
574 ensure that all children are proficient in reading by grade three, and (2)
575 outline, at a minimum, how (A) reading data will be collected,
576 analyzed and used for purposes of instructional development, (B)
577 professional and leadership development will be related to reading
578 data analysis and used to support individual teacher and classroom
579 needs, (C) the selected schools will communicate with parents and
580 guardians of students on reading instruction strategies and student
581 reading performance goals, and on opportunities for parents and
582 guardians to partner with teachers and school administrators to
583 improve reading at home and at school, (D) teachers and school
584 leaders will be trained in the science of teaching reading, (E) periodic
585 student progress reports will be issued, and (F) such selected school
586 intensive reading intervention strategy will be monitored at the
587 classroom level. The commissioner shall review and evaluate the
588 school intensive reading intervention strategy for model components
589 that may be used and replicated in other schools and school districts to
590 ensure that all children are proficient in reading by grade three.

591 (d) (1) For the school year commencing July 1, [2012] 2014, and each
592 school year thereafter, each school selected by the Commissioner of
593 Education to participate in the intensive reading instruction program
594 under this section shall provide supplemental reading instruction to
595 students in kindergarten to grade three, inclusive, who are reading
596 below proficiency, as identified by the reading assessment described in
597 section 10-14t. Such supplemental reading instruction shall be
598 provided by a reading interventionist during regular school hours.

599 (2) A reading remediation plan shall be developed by a reading

600 interventionist for each student in kindergarten to grade three,
601 inclusive, who has been identified as reading below proficiency to
602 address and correct the reading deficiency of such student. Such
603 remediation plan shall include instructional strategies that utilize
604 research based reading instruction materials and teachers trained in
605 reading instruction, parental involvement in the implementation of the
606 remediation plan and regular progress reports on such student.

607 (3) The principal of a school selected by the Commissioner of
608 Education to participate in the intensive reading instruction program
609 under this section shall notify the parent or guardian of any student in
610 kindergarten to grade three, inclusive, who has been identified as
611 being below proficiency in reading. Such notice shall be in writing and
612 include, (A) an explanation of why such student is below proficiency
613 in reading, and (B) inform such parent or guardian that a remediation
614 plan, as described in subdivision (2) of this subsection, will be
615 developed for such student to provide supplemental reading
616 instruction, including strategies for the parent or guardian to use at
617 home with such student.

618 (e) (1) Any student enrolled in a school selected by the
619 Commissioner of Education that is located in a priority school district,
620 pursuant to section 10-266p, to participate in the intensive reading
621 instruction program under this section and who is reading below
622 proficiency at the end of the school year shall be enrolled in an
623 intensive summer school reading instruction program. Such intensive
624 summer school reading instruction program shall include, (A) a
625 comprehensive reading intervention program, (B) scientifically-based
626 reading research and instruction strategies and interventions, (C)
627 diagnostic assessments administered to a student prior to or during an
628 intensive summer school reading instruction program to determine
629 such student's particularized need for instruction, (D) teachers who are
630 trained in the teaching of reading and reading assessment and
631 intervention, and (E) weekly progress monitoring to assess the reading
632 progress of such student and tailor instruction for such student.

633 (2) The principal of a school selected by the Commissioner of
634 Education to participate in the intensive reading instruction program
635 under this section shall submit reports to the Department of Education,
636 at such time and in such manner as prescribed by the department, on
637 (A) student reading progress for each student reading below
638 proficiency based on the data collected from the screening and
639 progress monitoring of such student using the reading assessments
640 described in section 10-14t, and (B) the specific reading interventions
641 and supports implemented.

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

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

652 For the school year commencing July 1, 2014, and each school year
653 thereafter, [the] each local or regional board of education [for all
654 certified employees who hold] that employs a certified individual who
655 holds an initial, provisional or professional educator certificate with an
656 early childhood nursery through grade three or an elementary
657 endorsement [and are employed] in a position requiring such an
658 endorsement in kindergarten to grade three, inclusive, shall require
659 [all such certified employees to take the practice version of] any such
660 employee to take a survey on reading instruction, developed by the
661 Department of Education and based on the reading instruction
662 examination approved by the State Board of Education on April 1,
663 2009. [Each local and regional board of education shall annually report
664 the results of such practice examination to the Department of

665 Education.] Such survey shall be completed anonymously by such
666 employee and administered at no financial cost to such employee. The
667 results of such survey shall be aggregated at the grade, school and
668 district level and used in the provision of professional development in
669 scientifically-based reading research and instruction, pursuant to
670 section 10-148b. Such results shall not be considered part of teacher
671 performance evaluations conducted pursuant to section 10-151b, as
672 amended by this act, and shall not be subject to disclosure under the
673 Freedom of Information Act, as defined in section 1-200.

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

676 On or before [July 1, 2013] January 1, 2014, the Department of
677 Education shall develop a coordinated state-wide reading plan for
678 students in kindergarten to grade three, inclusive, that contains
679 strategies and frameworks that are research-driven to produce
680 effective reading instruction and improvement in student
681 performance. Such plan shall include: (1) The alignment of reading
682 standards, instruction and assessments for students in kindergarten to
683 grade three, inclusive; (2) teachers' use of data on the progress of all
684 students to adjust and differentiate instructional practices to improve
685 student reading success; (3) the collection of information concerning
686 each student's reading background, level and progress so that teachers
687 can use such information to assist in the transition of a student's
688 promotion to the next grade level; (4) an intervention for each student
689 who is not making adequate progress in reading to help such student
690 read at the appropriate grade level; (5) enhanced reading instruction
691 for students who are reading at or above their grade level; (6) the
692 coordination of reading instruction activities between parents,
693 students, teachers and administrators of the school district at home
694 and in school; (7) school district reading plans; (8) parental
695 involvement by providing parents and guardians of students with
696 opportunities for partnering with teachers and school administrators
697 to (A) create an optimal learning environment, and (B) receive updates

698 on the reading progress of their student; (9) teacher training and
699 reading performance tests aligned with teacher preparation courses
700 and professional development activities; (10) incentives for schools
701 that have demonstrated significant improvement in student reading;
702 (11) research-based literacy training for early childhood care and
703 education providers and instructors working with children birth to
704 five years of age, inclusive; and (12) the alignment of reading
705 instruction with the common core state standards adopted by the State
706 Board of Education.

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

710 (f) An endorsement issued prior to July 1, 2013, to teach elementary
711 education grades one to six, inclusive, shall be valid for grades
712 kindergarten to six, inclusive, and for such an endorsement issued on
713 or after July 1, 2013, the endorsement shall be valid for grades one to
714 six, inclusive, except such an endorsement issued between July 1, 2013,
715 and July 1, 2017, to any student who was admitted to a teacher
716 preparation program, as defined in section 10-10a, in the certification
717 endorsement area of elementary education on or before the start of the
718 fall semester of 2012, and successfully completes such program, shall
719 be valid for grades kindergarten to six, inclusive. An endorsement to
720 teach comprehensive special education grades one to twelve, inclusive,
721 shall be valid for grades kindergarten to twelve, inclusive, provided,
722 on and after ~~[July]~~ September 1, 2013, any ~~[certified employee with~~
723 ~~such]~~ applicant for an initial educator certificate and a comprehensive
724 special education endorsement [achieves] shall achieve a satisfactory
725 score on the reading instruction examination approved by the State
726 Board of Education on April 1, 2009.

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

730 (i) On and after [July] September 1, 2013, any [certified employee
731 with] applicant for an initial educator certificate and a remedial
732 reading, [and] remedial language arts or reading consultant
733 endorsement shall achieve a satisfactory score on the reading
734 instruction examination approved by the State Board of Education on
735 April 1, 2009.

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

739 (a) The Commissioner of Education shall establish a commissioner's
740 network of schools to improve student academic achievement in low-
741 performing schools. On or before July 1, 2014, the commissioner may
742 select not more than twenty-five schools that have been classified as a
743 category four school or a category five school pursuant to section 10-
744 223e to participate in the commissioner's network of schools. The
745 commissioner shall issue guidelines regarding the development of
746 turnaround plans, and such guidelines shall include, but not be limited
747 to, annual deadlines for the submission or nonsubmission of a
748 turnaround plan and annual deadlines for approval or rejection of
749 turnaround plans. The commissioner shall give preference for selection
750 in the commissioner's network of schools to such schools (1) that
751 volunteer to participate in the commissioner's network of schools,
752 provided the local or regional board of education for such school and
753 the representatives of the exclusive bargaining unit for certified
754 employees chosen pursuant to section 10-153b mutually agree to
755 participate in the commissioner's network of schools, [or] (2) in which
756 an existing collective bargaining agreement between the local or
757 regional board of education for such school and the representatives of
758 the exclusive bargaining unit for certified employees chosen pursuant
759 to section 10-153b will have expired for the school year in which a
760 turnaround plan will be implemented, or (3) that are located in school
761 districts that (A) have experience in school turnaround reform, or (B)
762 that previously received a school improvement grant pursuant to

763 Section 1003(g) of Title I of the Elementary and Secondary Education
 764 Act, 20 USC 6301 et seq. The commissioner shall not select more than
 765 two schools from a single school district in a single school year and
 766 shall not select more than four schools in total from a single district.
 767 Each school so selected shall begin implementation of a turnaround
 768 plan, as described in subsection (d) of this section, not later than the
 769 school year commencing July 1, 2014. Each school so selected shall
 770 participate in the commissioner's network of schools for three school
 771 years, and may continue such participation for an additional year, not
 772 to exceed two additional years, upon approval from the State Board of
 773 Education in accordance with the provisions of subsection (h) of this
 774 section. The commissioner shall provide funding, technical assistance
 775 and operational support to schools participating in the commissioner's
 776 network of schools and may provide financial support to teachers and
 777 administrators working at a school that is participating in the
 778 commissioner's network of schools. All costs attributable to developing
 779 and implementing a turnaround plan in excess of the ordinary
 780 operating expenses for such school shall be paid by the State Board of
 781 Education.

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| 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) |

Statement of Purpose:

To make revisions and clarifications to provisions relating to teacher evaluations, reading and literacy initiatives, grant payments and the commissioner's network of schools in the Education Reform Act of 2012.

[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.]