



General Assembly

**Substitute Bill No. 1097**

January Session, 2013



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

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

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 Section 10-151b of the general statutes is repealed and the  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

3 (a) [The] For the school year commencing July 1, 2013, and each  
4 school year thereafter, the superintendent of each local or regional  
5 board of education shall annually evaluate or cause to be evaluated  
6 each teacher, in accordance with [guidelines established by the State  
7 Board of Education, pursuant to subsection (c) of this section, and such  
8 other guidelines as may be established by mutual agreement between  
9 the local or regional board of education and the teachers'  
10 representative chosen pursuant to section 10-153b] the teacher  
11 evaluation and support program adopted pursuant to subsection (b) of  
12 this section, and may conduct additional formative evaluations toward  
13 producing an annual summative evaluation. An evaluation pursuant  
14 to this subsection shall include, but need not be limited to, strengths,  
15 areas needing improvement, strategies for improvement and multiple  
16 indicators of student academic growth. Claims of failure to follow the  
17 established procedures of such teacher evaluation and support  
18 [programs] program shall be subject to the grievance procedure in  
19 collective bargaining agreements negotiated subsequent to July 1, 2004.

20 In the event that a teacher does not receive a summative evaluation  
21 during the school year, such teacher shall receive a "not rated"  
22 designation for such school year. The superintendent shall report the  
23 status of teacher evaluations to the local or regional board of education  
24 on or before June first of each year. For purposes of this section, the  
25 term "teacher" shall include each professional employee of a board of  
26 education, below the rank of superintendent, who holds a certificate or  
27 permit issued by the State Board of Education.

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

54 regional board of education, provided such teacher evaluation and  
55 support program is consistent with the guidelines adopted by the State  
56 Board of Education, pursuant to subsection (c) of this section, and  
57 consistent with the plan developed, pursuant to subsection (b) of  
58 section 10-220a, as amended by this act.

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

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

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

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

118 (d) The State Board of Education may waive the provisions of  
119 subdivision (1) of subsection (b) of this section for any local or regional

120 board of education that has developed a teacher evaluation program  
121 prior to [the validation of the model teacher evaluation and support  
122 program guidelines described in subsection (c) of this section] July 1,  
123 2013, and that the State Board of Education determines is in substantial  
124 compliance with such model teacher evaluation and support program  
125 guidelines.

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

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

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

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

188 training programs pursuant to this subsection.

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

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

217 (a) There is established a Performance Evaluation Advisory Council  
218 within the Department of Education. Membership of the council shall  
219 consist of: (1) The Commissioner of Education and the president of the  
220 Board of Regents for Higher Education, or their designees, (2) one

221 representative from each of the following associations, designated by  
222 the association, the Connecticut Association of Boards of Education,  
223 the Connecticut Association of Public School Superintendents, the  
224 Connecticut Federation of School Administrators, the Connecticut  
225 Education Association and the American Federation of Teachers-  
226 Connecticut, and (3) persons selected by the Commissioner of  
227 Education who shall include, but not be limited to, teachers, persons  
228 with expertise in performance evaluation processes and systems, and  
229 any other person the commissioner deems appropriate.

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

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

243 (d) The contract of employment of a teacher who has attained tenure  
244 shall be continued from school year to school year, except that it may  
245 be terminated at any time for one or more of the following reasons: (1)  
246 Inefficiency, incompetence or ineffectiveness, provided, if a teacher is  
247 notified on or after July 1, 2014, that termination is under consideration  
248 due to incompetence or ineffectiveness, the determination of  
249 incompetence or ineffectiveness is based on evaluation of the teacher  
250 using teacher evaluation guidelines established pursuant to section 10-  
251 151b, as amended by this act; (2) insubordination against reasonable  
252 rules of the board of education; (3) moral misconduct; (4) disability, as  
253 shown by competent medical evidence; (5) elimination of the position

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

289 arbitration. If the hearing officer is not selected with the assistance of  
290 such association after five days, the hearing shall be held before the  
291 board of education or a subcommittee of the board. When the reason  
292 for termination is incompetence or ineffectiveness, the hearing shall (i)  
293 address the question of whether the performance evaluation ratings of  
294 the teacher were determined in good faith in accordance with the  
295 program [developed] adopted by the local or regional board of  
296 education pursuant to section 10-151b, as amended by this act, and  
297 were reasonable in light of the evidence presented, and (ii) be limited  
298 to twelve total hours of evidence and testimony, with each side  
299 allowed not more than six hours to present evidence and testimony  
300 except the board, subcommittee of the board or impartial hearing  
301 officer may extend the time period for evidence and testimony at the  
302 hearing when good cause is shown. Not later than forty-five calendar  
303 days after receipt of the request for a hearing, the subcommittee of the  
304 board or hearing officer, unless the parties mutually agree to an  
305 extension not to exceed fifteen calendar days, shall submit written  
306 findings and a recommendation to the board of education as to the  
307 disposition of the charges against the teacher and shall send a copy of  
308 such findings and recommendation to the teacher. The board of  
309 education shall give the teacher concerned its written decision not later  
310 than fifteen calendar days of receipt of the written recommendation of  
311 the subcommittee or hearing officer. Each party shall share equally the  
312 fee of the hearing officer and all other costs incidental to the hearing. If  
313 the hearing is before the board of education, the board shall render its  
314 decision not later than fifteen calendar days after the close of such  
315 hearing and shall send a copy of its decision to the teacher. The  
316 hearing shall be public if the teacher so requests or the board,  
317 subcommittee or hearing officer so designates. The teacher concerned  
318 shall have the right to appear with counsel at the hearing, whether  
319 public or private. A copy of a transcript of the proceedings of the  
320 hearing shall be furnished by the board of education, upon written  
321 request by the teacher within fifteen days after the board's decision,  
322 provided the teacher shall assume the cost of any such copy. Nothing  
323 herein contained shall deprive a board of education or superintendent

324 of the power to suspend a teacher from duty immediately when  
325 serious misconduct is charged without prejudice to the rights of the  
326 teacher as otherwise provided in this section.

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

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

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

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

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

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

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

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

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

421 Sec. 9. Section 10-151i of the general statutes is repealed and the

422 following is substituted in lieu thereof (*Effective from passage*):

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

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

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

453       (2) The town shall pay to the fiscal authority for a local charter

454 school the portion of the amount paid to the town pursuant to  
455 subdivision (1) of this subsection attributable for students enrolled in  
456 such local charter school. Such payments shall be made as follows:  
457 Twenty-five per cent of the amount not later than July twentieth and  
458 September fifteenth and twenty-five per cent of the amount not later  
459 than January fifteenth and the remaining amount not later than April  
460 fifteenth.

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

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

485 (3) In the case of a student identified as requiring special education,  
486 the school district in which the student resides shall: (A) Hold the

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

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

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

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

515 (a) On or before January 1, [2013] 2014, the Department of Education  
516 shall develop or approve reading assessments for use by local and  
517 regional boards of education for the school year commencing July 1,  
518 [2013] 2014, and each school year thereafter, to identify students in

519 kindergarten to grade three, inclusive, who are below proficiency in  
520 reading, provided any reading assessments developed or approved by  
521 the department include frequent screening and progress monitoring of  
522 students. Such reading assessments shall (1) measure phonics,  
523 phonemic awareness, fluency, vocabulary, and comprehension, (2)  
524 provide opportunities for periodic formative assessment during the  
525 school year, (3) produce data that is useful for informing individual  
526 and classroom instruction, including the grouping of students based  
527 on such data and the selection of instructional activities based on data  
528 of individual student response patterns during such progress  
529 monitoring, and (4) be compatible with best practices in reading  
530 instruction and research.

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

533 (a) As used in this section:

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

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

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

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

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

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

618 (2) A reading remediation plan shall be developed by a reading  
619 interventionist for each student in kindergarten to grade three,  
620 inclusive, who has been identified as reading below proficiency to  
621 address and correct the reading deficiency of such student. Such  
622 remediation plan shall include instructional strategies that utilize  
623 research based reading instruction materials and teachers trained in  
624 reading instruction, parental involvement in the implementation of the  
625 remediation plan and regular progress reports on such student.

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

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

651 progress of such student and tailor instruction for such student.

652 (2) The principal of a school selected by the Commissioner of  
653 Education to participate in the intensive reading instruction program  
654 under this section shall submit reports to the Department of Education,  
655 at such time and in such manner as prescribed by the department, on  
656 (A) student reading progress for each student reading below  
657 proficiency based on the data collected from the screening and  
658 progress monitoring of such student using the reading assessments  
659 described in section 10-14t, and (B) the specific reading interventions  
660 and supports implemented.

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

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

671 For the school year commencing July 1, 2014, and each school year  
672 thereafter, [the] each local or regional board of education [for all  
673 certified employees who hold] that employs a certified individual who  
674 holds an initial, provisional or professional educator certificate with an  
675 early childhood nursery through grade three or an elementary  
676 endorsement [and are employed] in a position requiring such an  
677 endorsement in kindergarten to grade three, inclusive, shall require  
678 [all such certified employees to take the practice version of] each such  
679 employee to take a survey on reading instruction, developed by the  
680 Department of Education and based on the reading instruction  
681 examination approved by the State Board of Education on April 1,  
682 2009. [Each local and regional board of education shall annually report

683 the results of such practice examination to the Department of  
684 Education.] Such survey shall protect the anonymity of each such  
685 employee, except for the use in developing professional development  
686 plans for the individual employee and the school, and be administered  
687 at no financial cost to such employee. The results of such survey shall  
688 be aggregated at the grade, school and district level and used in the  
689 provision of professional development in scientifically-based reading  
690 research and instruction, pursuant to section 10-148b. Such results  
691 shall not be subject to disclosure under the Freedom of Information  
692 Act, as defined in section 1-200.

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

695 On or before [July 1, 2013] January 1, 2014, the Department of  
696 Education shall develop a coordinated state-wide reading plan for  
697 students in kindergarten to grade three, inclusive, that contains  
698 strategies and frameworks that are research-driven to produce  
699 effective reading instruction and improvement in student  
700 performance. Such plan shall include: (1) The alignment of reading  
701 standards, instruction and assessments for students in kindergarten to  
702 grade three, inclusive; (2) teachers' use of data on the progress of all  
703 students to adjust and differentiate instructional practices to improve  
704 student reading success; (3) the collection of information concerning  
705 each student's reading background, level and progress so that teachers  
706 can use such information to assist in the transition of a student's  
707 promotion to the next grade level; (4) an intervention for each student  
708 who is not making adequate progress in reading to help such student  
709 read at the appropriate grade level; (5) enhanced reading instruction  
710 for students who are reading at or above their grade level; (6) the  
711 coordination of reading instruction activities between parents,  
712 students, teachers and administrators of the school district at home  
713 and in school; (7) school district reading plans; (8) parental  
714 involvement by providing parents and guardians of students with  
715 opportunities for partnering with teachers and school administrators

716 to (A) create an optimal learning environment, and (B) receive updates  
717 on the reading progress of their student; (9) teacher training and  
718 reading performance tests aligned with teacher preparation courses  
719 and professional development activities; (10) incentives for schools  
720 that have demonstrated significant improvement in student reading;  
721 (11) research-based literacy training for early childhood care and  
722 education providers and instructors working with children birth to  
723 five years of age, inclusive, and transition plans relating to oral  
724 language and preliteracy proficiency for children between  
725 prekindergarten and kindergarten; and (12) the alignment of reading  
726 instruction with the common core state standards adopted by the State  
727 Board of Education.

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

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

748 Sec. 17. Subsection (i) of section 10-145d of the general statutes is

749 repealed and the following is substituted in lieu thereof (*Effective from*  
750 *passage*):

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

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

760 (a) The Commissioner of Education shall establish a commissioner's  
761 network of schools to improve student academic achievement in low-  
762 performing schools. On or before July 1, 2014, the commissioner may  
763 select not more than twenty-five schools that have been classified as a  
764 category four school or a category five school pursuant to section 10-  
765 223e to participate in the commissioner's network of schools. The  
766 commissioner shall issue guidelines regarding the development of  
767 turnaround plans, and such guidelines shall include, but not be limited  
768 to, annual deadlines for the submission or nonsubmission of a  
769 turnaround plan and annual deadlines for approval or rejection of  
770 turnaround plans. The commissioner shall give preference for selection  
771 in the commissioner's network of schools to such schools (1) that  
772 volunteer to participate in the commissioner's network of schools,  
773 provided the local or regional board of education for such school and  
774 the representatives of the exclusive bargaining unit for certified  
775 employees chosen pursuant to section 10-153b mutually agree to  
776 participate in the commissioner's network of schools, [or] (2) in which  
777 an existing collective bargaining agreement between the local or  
778 regional board of education for such school and the representatives of  
779 the exclusive bargaining unit for certified employees chosen pursuant  
780 to section 10-153b will have expired for the school year in which a  
781 turnaround plan will be implemented, or (3) that are located in school

782 districts that (A) have experience in school turnaround reform, or (B)  
783 previously received a school improvement grant pursuant to Section  
784 1003(g) of Title I of the Elementary and Secondary Education Act, 20  
785 USC 6301 et seq. The commissioner shall not select more than two  
786 schools from a single school district in a single school year and shall  
787 not select more than four schools in total from a single district. Each  
788 school so selected shall begin implementation of a turnaround plan, as  
789 described in subsection (d) of this section, not later than the school  
790 year commencing July 1, 2014. Each school so selected shall participate  
791 in the commissioner's network of schools for three school years, and  
792 may continue such participation for an additional year, not to exceed  
793 two additional years, upon approval from the State Board of Education  
794 in accordance with the provisions of subsection (h) of this section. The  
795 commissioner shall provide funding, technical assistance and  
796 operational support to schools participating in the commissioner's  
797 network of schools and may provide financial support to teachers and  
798 administrators working at a school that is participating in the  
799 commissioner's network of schools. All costs attributable to developing  
800 and implementing a turnaround plan in excess of the ordinary  
801 operating expenses for such school shall be paid by the State Board of  
802 Education.

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

806 (d) The local or regional board of education for a town designated  
807 as an alliance district may apply to the Commissioner of Education, at  
808 such time and in such manner as the commissioner prescribes, to  
809 receive any increase in funds received over the amount the town  
810 received for the prior fiscal year pursuant to section 10-262h.  
811 Applications pursuant to this subsection shall include objectives and  
812 performance targets and a plan that may include, but not be limited to,  
813 the following: (1) A tiered system of interventions for the schools  
814 under the jurisdiction of such board based on the needs of such

815 schools, (2) ways to strengthen the foundational programs in reading,  
816 through the intensive reading instruction program pursuant to section  
817 10-14u, as amended by this act, to ensure reading mastery in  
818 kindergarten to grade three, inclusive, with a focus on standards and  
819 instruction, proper use of data, intervention strategies, current  
820 information for teachers, parental engagement, and teacher  
821 professional development, (3) additional learning time, including  
822 extended school day or school year programming administered by  
823 school personnel or external partners, (4) a talent strategy that  
824 includes, but is not limited to, teacher and school leader recruitment  
825 and assignment, career ladder policies that draw upon guidelines for a  
826 model teacher evaluation program adopted by the State Board of  
827 Education, pursuant to section 10-151b, and adopted by each local or  
828 regional board of education. Such talent strategy may include  
829 provisions that demonstrate increased ability to attract, retain,  
830 promote and bolster the performance of staff in accordance with  
831 performance evaluation findings and, in the case of new personnel,  
832 other indicators of effectiveness, (5) training for school leaders and  
833 other staff on new teacher evaluation models, (6) provisions for the  
834 cooperation and coordination with early childhood education  
835 providers to ensure alignment with district expectations for student  
836 entry into kindergarten, including funding for an existing local Head  
837 Start program, (7) provisions for the cooperation and coordination  
838 with other governmental and community programs to ensure that  
839 students receive adequate support and wraparound services, including  
840 community school models, and (8) any additional categories or goals  
841 as determined by the commissioner. Such plan shall demonstrate  
842 collaboration with key stakeholders, as identified by the commissioner,  
843 with the goal of achieving efficiencies and the alignment of intent and  
844 practice of current programs with conditional programs identified in  
845 this subsection. The commissioner may require changes in any plan  
846 submitted by a local or regional board of education before the  
847 commissioner approves an application under this subsection.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	10-151b
Sec. 2	<i>from passage</i>	10-220a(a) and (b)
Sec. 3	<i>from passage</i>	10-151d
Sec. 4	<i>July 1, 2014</i>	10-151(d)
Sec. 5	<i>from passage</i>	10-148a(b)
Sec. 6	<i>from passage</i>	10-151f(b)
Sec. 7	<i>from passage</i>	10-151g(b)
Sec. 8	<i>from passage</i>	10-151h
Sec. 9	<i>from passage</i>	10-151i
Sec. 10	<i>July 1, 2013</i>	10-66ee(c) and (d)
Sec. 11	<i>July 1, 2013</i>	10-76kk(b)
Sec. 12	<i>July 1, 2013</i>	10-14t(a)
Sec. 13	<i>July 1, 2013</i>	10-14u
Sec. 14	<i>July 1, 2013</i>	10-145r
Sec. 15	<i>July 1, 2013</i>	10-14v
Sec. 16	<i>from passage</i>	10-145d(f)
Sec. 17	<i>from passage</i>	10-145d(i)
Sec. 18	<i>from passage</i>	10-223h(a)
Sec. 19	<i>July 1, 2013</i>	10-262u(d)

**Statement of Legislative Commissioners:**

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

**ED**      *Joint Favorable Subst.*