

OFFICE OF LEGISLATIVE RESEARCH
PUBLIC ACT SUMMARY



PA 13-122—sHB 6624

Education Committee

Finance, Revenue and Bonding Committee

**AN ACT CONCERNING MINOR REVISIONS TO THE EDUCATION
STATUTES**

SUMMARY: This act makes numerous changes to the education statutes. Specifically, it:

1. requires interdistrict magnet school operators to annually report aggregate as well as individual school financial audits to the education commissioner;
2. requires exclusive use of a “state-assigned student identifier” to track official student documents;
3. eliminates indemnification eligibility for teacher mentors and assessors offered by employing boards of education under prior law;
4. broadens the scope of services that marital and family therapists must offer while employed by local or regional boards of education;
5. exempts certain teacher records kept by the State Department of Education (SDE) from public access;
6. changes the procedure for establishing tuition rates for vocational apprenticeship programs;
7. expands the validity of the elementary education teaching certificate for kindergarten instruction;
8. requires SDE to study alternative school programs;
9. expands eligibility for alternative route to certification (ARC) programs for school administrators;
10. allows schools to apply for a school security infrastructure competitive grant for expenses incurred on or after January 1, 2013, rather than April 4, 2013;
11. exempts a person who holds an out-of-state teacher certification from the Connecticut competency and subject matter exams, if the person has completed at least three school years of service (30 months) in the sought-after endorsement area in another state’s public or private school during the previous 10 years; and
12. allows local or regional boards of education to award a diploma to those who withdrew from high school to work in a job that helped the war effort in World War II.

The act also makes several technical and conforming changes.

EFFECTIVE DATE: Various (see below), with technical and conforming changes effective upon passage.

§§ 1-2 — MAGNET SCHOOL FINANCIAL AUDITS

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The act specifies that interdistrict magnet school operators, rather than the schools themselves, must annually give the education commissioner certain financial audits. Additionally, the act requires operators to report two types of audits, rather than just one. The first type of audit is for each individual magnet school, as required under existing law, by its operator. The second type is an aggregate audit combining all magnet schools run by the operator. By law, a magnet school operator may be: (1) a local or regional board of education; (2) a regional education service center (RESC); (3) multiple school districts in a cooperative agreement; or (4) the Board of Trustees of the Community Technical Colleges, on behalf of Quinebaug Valley Community College and Goodwin College.

The act also makes related changes in provisions that adjust magnet school grant payouts based upon annual financial audits. It requires SDE to adjust the final grant payment to a magnet operator in a fiscal year based upon the aggregate financial audit submitted by the operator, rather than the audit submitted by individual magnet schools.

EFFECTIVE DATE: July 1, 2013

§§ 3-4 — USE OF STUDENT IDENTIFIERS

The act (1) requires that a student's state-assigned identifier be used for tracking purposes on official school documents, as well as during matriculation at in-state higher education institutions and (2) eliminates a school district's option to use a district-provided identifier.

Official Student Documents

The act requires all local and regional boards of education to include a student's state-assigned student identifier on all official student documents, rather than only on transcripts as required under prior law. Under the act, "official student documents" include (1) transcripts, (2) report cards, (3) attendance records, (4) disciplinary reports, and (5) student withdrawal forms.

Post-High School Tracking

Prior law required the Board of Regents for Higher Education (BOR) to require state-funded Connecticut colleges and universities to track the state-assigned or district-provided student identifiers of all in-state students until they graduated or ended their enrollment. The act eliminates (1) BOR's role and (2) the requirement that the colleges and universities track students with district-provided identifiers. Thus, it requires the colleges and universities to track students with state-assigned identifiers.

EFFECTIVE DATE: July 1, 2013

§ 6 — TEACHER INDEMNIFICATION

The act removes teacher mentors and assessors from the class of employees eligible to receive indemnification under prior law from their respective boards of

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education. Such indemnification covers fees and costs relating to legal claims, demands, suits, or judgments. Claims eligible for indemnification must be related to negligence or civil rights and must arise while the employee is acting within the scope of employment.

EFFECTIVE DATE: Upon passage

§ 8 — MARITAL AND FAMILY THERAPISTS

The act requires marital and family therapists employed by local or regional boards of education to provide services to students, families, and students' parents or guardians. It requires the State Board of Education (SBE) to adopt implementing regulations by July 1, 2014.

EFFECTIVE DATE: July 1, 2013

§§ 9 & 13 — NONDISCLOSURE OF TEACHER PERFORMANCE RECORDS

§ 9 — Records Kept by SDE in the State Longitudinal Data System

Under the act, records of individual teacher performance and evaluation kept by SDE in the state longitudinal data system are not public records and are exempt from disclosure under the Freedom of Information Act (FOIA), unless a teacher consents in writing to have a local or regional board of education release them. This change has no legal effect, since existing law does not require SDE to develop a state longitudinal data system. (PA 13-247, § 389, deletes this provision.)

§ 13 — Records Kept by SDE in General

The act establishes that records kept by SDE about teacher performance and evaluations are not public records and are exempt from disclosure under FOIA, unless a teacher consents to their release in writing. It also explicitly establishes that any records kept by SDE about teacher misconduct are public records that may be disclosed without consent. Under existing law, such records kept by local and regional boards of education are already subject to these provisions.

EFFECTIVE DATE: Upon passage, except the provision regarding the state longitudinal data system is effective July 1, 2013.

§ 10 — VOCATIONAL EDUCATION EXTENSION FUND

The act requires the technical high school system board, rather than SBE, to set tuition fees for students in preparatory and supplemental programs, including apprenticeship programs, established under the Vocational Education Extension Fund. Established by SBE, this fund contains a vocational education extension account, which must be used to (1) operate preparatory and supplemental programs and apprenticeships and (2) buy necessary materials and equipment.

Also, the act eliminates the \$100 fee ceiling for enrollment in a single apprenticeship program or course, thus allowing the board to charge any tuition fee it chooses.

EFFECTIVE DATE: July 1, 2013

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§ 11 — ELEMENTARY EDUCATION CERTIFICATION ENDORSEMENT

The act allows individuals who complete an elementary education teacher preparation program before June 30, 2017 to become certified to teach kindergarten, in addition to grades one through six. Under prior law, any elementary education certificate issued prior to July 1, 2013 was valid for grades kindergarten through six; any issued after that date was valid only for grades one through six. Prior law also granted an exception for certain individuals certified between July 1, 2013 and July 1, 2017: those who had been admitted to a teacher preparation program for elementary education certification before the fall 2012 semester and completed the program by June 30, 2017 could use the certificate to teach kindergarten. The act broadens this exception to include individuals who are admitted to and successfully complete such program at any time before June 30, 2017, regardless of enrollment date.

EFFECTIVE DATE: Upon passage

§ 12 — ALTERNATIVE SCHOOL PROGRAM STUDY

The act requires SDE to study all alternative school programs offered by local and regional boards of education and report to the Education Committee by February 1, 2014.

Each board of education that offers an alternative school program, including the following, must give SDE all relevant information for the study:

1. alternative schools offered by boards for students age 19 and older who lack credits for graduation before age 21;
2. alternative educational opportunities offered by youth service bureaus;
3. alternative educational opportunities in adult education during a period of expulsion;
4. alternative educational opportunities offered by boards for students under age 16 during a period of expulsion, or for students between ages 16 and 18 who wish to continue their education during a period of first-time expulsion;
5. alternative programs for students having difficulty succeeding in traditional education programs;
6. alternative schools for students to develop career awareness and orientation through exploration of career interests; and
7. alternative schools that educate struggling, at-risk students separately from students in the general education program.

SDE's study must:

1. examine the alternative school programs' enrollment and discharge criteria; enrollment data by gender, race, and ethnicity; curriculum; length of school day and year; attendance, truancy, and graduation rates; and academic performance;
2. evaluate each program's effectiveness in meeting students' needs; and
3. determine the degree of compliance with statutory requirements for alternative scheduling of school sessions, length of school year, and curriculum.

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When SDE reports the study findings to the Education Committee, it must include recommendations for legislation on topics including (1) defining “alternative school program,” (2) enrollment requirements, (3) length of school day and year, (4) curriculum requirements, (5) graduation requirements, and (6) continuous evaluation and oversight of alternative school programs.

EFFECTIVE DATE: Upon passage

§ 14 — ARC PROGRAMS FOR SCHOOL ADMINISTRATORS

The act requires any SBE-approved ARC program for school administrators to admit any person who:

1. provided service to a local or regional board of education in a supervisory or managerial role for at least four school years (40 months),
2. held professional educator certification for at least one school year out of the four (10 months),
3. holds a bachelor’s degree from a college or university (a) accredited by BOR or SBE or (b) regionally accredited, and
4. produces a performance-based recommendation from his or her immediate supervisor or district administrator.

EFFECTIVE DATE: Upon passage

§ 15 — SCHOOL SECURITY INFRASTRUCTURE GRANTS

By law, the departments of Emergency Services and Public Protection, SDE, and Construction Services must jointly administer a competitive school security infrastructure grant program. The act allows the grant program to reimburse a town for certain safety expenses incurred by its board of education on or after January 1, 2013, rather than on or after April 4, 2013 as required by PA 13-3. The grant program invites boards of education to apply, on behalf of their towns, for reimbursement of expenses related to development or improvement of a school’s security infrastructure based upon a building assessment and either (1) school personnel training in the use of the infrastructure or (2) the purchase of portable entrance security devices, such as screening machines or wands.

EFFECTIVE DATE: Upon passage

§ 16 — TESTING WAIVER FOR CERTIFIED OUT-OF-STATE PUPIL PERSONNEL

The act allows SDE to waive completion of the competency and subject matter exams for a person seeking Connecticut educator certification if the person (1) holds out-of-state certification in the same subject or endorsement area that is at least equivalent to a Connecticut initial educator certificate and (2) has completed at least three years of service in the endorsement area in the past 10 years at an SBE-approved public or private out-of-state school.

Under existing law, a person who is certified out-of-state is already eligible for test waiver (1) upon completing at least three years of teaching experience in the same endorsement area during the previous 10 years in an SBE-approved

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public or private out-of-state school or (2) if he or she holds a master's degree or higher in the subject area for the sought-after Connecticut certification.

EFFECTIVE DATE: July 1, 2013

§ 17 — HONORARY HIGH SCHOOL DIPLOMAS

The act allows local or regional boards of education to award a diploma to any person who withdrew from high school between December 7, 1941 and December 31, 1946 to work in a job to help the war effort in World War II, as long as that person has been a Connecticut resident for at least 50 consecutive years.

EFFECTIVE DATE: July 1, 2013

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