



Testimony of  
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Education Committee Hearing  
March 17, 2014

***SB 476 An Act Concerning the Academic Achievement Gap***  
***HB 5561 An Act Concerning State and Local Charter School Accountability and Transparency and Participation in Cooperative Arrangements***  
***HB 5566 An Act Concerning Minor Revisions to the Education Statutes***

Good afternoon Senator Stillman, Representative Fleischmann and members of the Education Committee. My name is Melodie Peters and I am the President of AFT Connecticut, a diverse state federation of more than 90 local unions representing nearly 29,000 public and private sector employees. Our members include more than 15,000 teachers, paraprofessionals, school nurses and other school personnel across the state. It is on their behalf that I appear before you to testify on a number of bills before you today.

***SB 476 An act Concerning the Academic Achievement Gap***

AFT Connecticut fully supports SB 476. Full day kindergarten is no longer a luxury any child can afford to miss. Volumes of research tell us what we already know – that early childhood education is vital to a child’s lifelong academic success. With all the work Governor Malloy and this committee have done, and continue to do, to improve access to quality preschool programs, it makes no sense not to carry that commitment to early childhood learning through to full day kindergarten. We suggest full day kindergarten be required for all school districts, not just those that have been designated as Alliance Districts.

AFT Connecticut also supports the expansion of bilingual education from thirty months to sixty months. Bilingual education uses and develops the student’s native language and culture to help the student acquire academic skills, positive self-concept skills and develop English proficiency. The model is based on research which asserts that to be successful in the mainstream, emergent bilingual students must continue to develop cognitive and linguistic skills in their native language, while they are learning English. This approach allows students to successfully transfer those abilities, skills and strategies to their new language. A student is fully transitioned into the mainstream curriculum program after he/she has reached a sufficient level of proficiency in English to ensure equal access to instruction in the mainstream classroom.

Some make the mistake to assume that once a student can converse in English, he or she will naturally perform well academically in English. But in fact, interpersonal communications skills and cognitive learning skills are two very different things. That is why bilingual instruction must be extended beyond 30 months. Exiting because time is up, rather than when readiness is achieved, does not assure the ability to learn in English.

Too often, being bilingual is seen as a liability, rather than an asset. Instead of embracing the potential of emerging bilingual students, they have, in many cases, been inappropriately identified as students with disabilities or students in need of special education. The thirty-month limit on bilingual education contributes to these unwarranted designations. Without native language literacy development we cannot tell if the issue is English language knowledge or a cognitive disability. I urge you to act favorably on this bill.

**HB 5561 An Act Concerning State and Local Charter School Accountability and Transparency and Participation in Cooperative Arrangements**

AFT Connecticut supports this bill that would require local charter schools to play by the same rules by which state charter schools must play. In order to strengthen the bill, we suggest that Section 2 be amended to require the Commissioner of Education to randomly select one state **AND** one local charter school to be subject to a comprehensive financial audit, rather than one state or one local charter school. Since local charter schools are still a rather new entity on our state's education landscape and they have differing funding mechanisms and accountability structures than state charter schools, we believe it would be appropriate to have at least one local charter school audited each year, just as has been the practice for state charter schools.

*Sec. 2. Section 10-66ll of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2014):*

*Annually, the commissioner shall randomly select one state and local charter school, as defined in subdivision (3) of section 10-66aa, to be subject to a comprehensive financial audit conducted by an auditor selected by the Commissioner of Education. Except as provided for in subsection (d) of section 10-66ee, the state and local charter schools shall be responsible for all costs associated with the audit conducted pursuant to the provisions of this section.*

**HB 5566 An Act Concerning Minor Revisions to the Education Statutes**

AFT Connecticut worked with members of this committee, the State Department of Education and legislative leadership to develop and pass the Special Master statute in 2009. It was intended to be a mechanism to allow the State Department of Education to have a more direct role in helping a struggling district improve student learning while respecting the integrity and autonomy of the local board of education. We believed in this interim step to a state takeover and felt the statute was drafted and passed with the best of intentions. Since it was enacted, two districts have been assigned a Special Master: Windham and New London.

AFT Connecticut represents the Windham Federation of Teachers, who have three years' worth of information to share with you about their unfortunate experiences with the Special Master. Since the Special Master's arrival, standardized test scores in the district have dropped significantly and the student population is more segregated economically, academically and racially than ever before. In short, things are much worse than they were in 2009. You will hear more directly from Windham teachers today, but it was on their behalf that we approached this committee with proposed language to rework the Special Master statute.

We are thankful that Sections 1, 2 and 3 of HB 5566 change the name of *Special Master* to *District Turnaround Specialist* and we wholeheartedly support that measure. However, committee members should not be misled by a simple name change that does nothing to correct the problems experienced in Windham.

Our proposal, which is included in my written testimony, attempts to build some of the good intentions that went into the process of creating the original law into the statute. Our proposal would require a District Turnaround Specialist to:

- Be jointly appointed and reappointed by the state and local boards of education
- Be a certified educator with experience working in a district with similar demographics and educational challenges
- Spend at least 40 hours per week in the district and work in only one district at a time
- Meet regularly and engage all stakeholders, including School Governance Councils, teachers, parents and members of the community

If enacted, this proposal will create the level of collaboration that we all intended and give the District Turnaround Specialist the framework necessary to develop a level of community buy in that can only lead to a successful outcome. We urge you to not let another district suffer the damage Windham has experienced. Please move this proposal out of committee.

Thank you for the opportunity to testify before you today. I would be happy to answer any questions you may have.

## **Sweeping reforms questioned as Windham test scores drop again**

By FRANCESCA KEFALAS

August 18, 2013 12:01AM

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For the second year, Connecticut Mastery Test and Connecticut Academic Performance Test scores showed an overall decline. The CMT results fell in line with the overall state trend. However, statewide CAPT results did show improvement, and Windham's results declined across the board.

"We're concerned about much more than test scores, but these latest numbers provide an urgent opportunity to ask some tough questions," said Randall Prose, a social studies teacher and coach at Windham High School and president of the Windham Federation of Teachers. "We're about to start the third school year of major reform. The time is now to come together and demand answers."

The state Department of Education appointed Steven Adamowski as special master of the Windham school district two years ago. Adamowski was also special master in New London for a year. New London's test scores showed significant increases in many areas, including increases of more than 10 percentage points in the performance of fifth- and sixth-graders in many of the content areas.

While Windham's CMT scores did not show such significant increases, there were areas of improvement.

For students at goal, the fifth grade showed an improvement of 11.8 percentage points in reading. Math improved 16.5 percentage points. Writing increased 4.2 percentage points, and science increased 3.6 percentage points. The Board of Education had moved the fifth-grade classes out of the middle school and back into their home elementary schools.

Windham Center Elementary School had positive results, including an increase of 14.2 percentage points in fourth-grade math and 12.1 percentage points in reading.

However, the eighth-grade scores showed decreases in every subject level.

Superintendent Anna Ortiz said significant changes in programs and curricula in the past school year will help the district make strong gains next year.

“The foundation has been laid, and we are ready to continue to do what needs to be done to ensure that all of Windham’s students are meeting and exceeding our academic expectations of them,” Ortiz said.

Prose said he hopes the test results of the CAPT will bring the community together, not create an atmosphere of finger-pointing.

CAPT results decreased in every subject area. Writing was the most dramatic decline, with the proportion students meeting or exceeding goal dropping from 32.9 percent in 2012 to 16.4 percent in 2013. The drop for students at or above proficiency was even more pronounced, declining from 60.4 percent to 40.6 percent.

Kathleen Koljian, an Advanced Placement English teacher at Windham High School, said too many changes have been implemented at the high school without staff or parent input. She said the creation of two academies at the high school was done before well-developed curricula were in place. Changes in the English language learner program have also negatively impacted the school, she said.

“We’ve always said that for any reform to work, there must be opportunity for true collaboration,” Koljian said. “That collaboration must include committed educators, engaged parents and community members in making decisions that impact the opportunities for our students to learn. The law establishing the special master role was well-intentioned and could prove effective, provided the appointed special master responded to the needs of our community. That is why we also need to engage our elected officials.”

<http://www.norwichbulletin.com/article/20130818/NEWS/308189934>

**PROPOSED LANGUAGE TO AMEND THE SPECIAL MASTER STATUTE:**

***AN ACT CONCERNING DISTRICT TURNAROUND SPECIALISTS***

Section 1. Section 10-223(e)(2) of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(2) Notwithstanding any provision of this title or any regulation adopted pursuant to said title, except as provided in subdivision (3) of this subsection, in carrying out the provisions of subdivision (1) of this subsection and this subdivision, the State Board of Education shall take any of the following actions to improve student performance of the school district, a particular school in the district or among student subgroups, and remove the school or district from the list of schools or districts designated and listed as a low achieving school or district pursuant to said subdivision (1), and to address other needs of the school or district: (A) Require an operations audit to identify possible programmatic savings and an instructional audit to identify any deficits in curriculum and instruction or in the learning environment of the school or district; (B) require the local or regional board of education for such school or district to use state and federal funds for critical needs, as directed by the State Board of Education; (C) provide incentives to attract highly qualified teachers and principals; (D) direct the transfer and assignment of teachers and principals; (E) require additional training and technical assistance for parents and guardians of children attending the school or a school in the district and for teachers, principals, and central office staff members hired by the district; (F) require the local or regional board of education for the school or district to implement model curriculum, including, but not limited to, recommended textbooks, materials and supplies approved by the Department of Education; (G) identify schools for reconstitution, as may be phased in by the commissioner, as state or local charter schools, schools established pursuant to section 10-74g, innovation schools established pursuant to section 10-74h, or schools based on other models for school improvement, or for management by an entity other than the local or regional board of education for the district in which the school is located; (H) direct the local or regional board of education for the school or district to develop and implement a plan addressing deficits in achievement and in the learning environment as recommended in the instructional audit; (I) assign a technical assistance team to the school or district to guide school or district initiatives and report progress to the Commissioner of Education; (J) establish instructional and learning environment benchmarks for the school or district to meet as it progresses toward removal from the list of low achieving schools or districts; (K) provide funding to any proximate district to a district designated as a low achieving school district so that students in a low achieving district may attend public school in a neighboring district; (L) direct the establishment of learning academies within schools that require continuous monitoring of student performance by teacher groups; (M) require local and regional boards of education to (i) undergo training to improve their

operational efficiency and effectiveness as leaders of their districts' improvement plans, and (ii) submit an annual action plan to the Commissioner of Education outlining how, when and in what manner their effectiveness shall be monitored; (N) require the appointment of (i) a superintendent, approved by the Commissioner of Education, or (ii) a ~~special master~~ district turnaround specialist, selected jointly by local or regional board of education, the State Board of Education and by the commissioner, whose authority is consistent with the provisions of section 138 of public act 11-61\* and does not supplant the local or regional superintendent, and whose term shall be for one school year, except that the State Board of Education may extend such period; or (O) any combination of the actions described in this subdivision or similar, closely related actions.

Section 2. Section 10-145(a) of the general statutes is repealed and the following substituted in lieu thereof (*Effective from passage*):

(a) No teacher, supervisor, administrator, special service staff member, district turnaround specialist or school superintendent, except as provided for in section 10-157, shall be employed in any of the schools of any local or regional board of education unless such person possesses an appropriate state certificate, nor shall any such person be entitled to any salary unless such person can produce such certificate dated previous to or the first day of employment, except as provided for in section 10-157; provided nothing in this subsection shall be construed to prevent the board of education from prescribing qualifications additional to those prescribed by the regulations of the State Board of Education and provided nothing in this subsection shall be construed to prevent any local or regional board of education from contracting with a licensed drivers' school approved by the Commissioner of Motor Vehicles for the behind-the-wheel instruction of a driver instruction course, to be given by driving instructors licensed by the Department of Motor Vehicles. No person shall be employed in any of the schools of any local or regional board of education as a substitute teacher unless such person holds a bachelor's degree, provided the Commissioner of Education may waive such requirement for good cause upon the request of a superintendent of schools.

Section 3 (NEW) (*Effective from passage*):

"District turnaround specialist" means a qualified instructional leader appointed jointly by a local or regional board of education and the State Board of Education who shall assist the school district in making adequate yearly progress for whole district performance in both reading and mathematics under the No Child Left Behind Act, P. L. 107-110 for a period not to exceed one school year and meets the following minimum qualifications: (1) at least ten years of classroom teaching experience in a school district similar in demographics and student performance to the district in which he or she is seeking to serve; (2) successful completion of at least five years of experience as a

certified administrator with a valid superintendent certificate; (3) demonstrated experience working in collaborative relationships with teachers, parents and community members; and (4) demonstrated commitment to spend a minimum of 40 hours per week in the school district. No district turnaround specialist shall serve in more than one school district at any given time.

Section 4. Section 138 of Public Act 11-61 of the general statutes is repealed and the following is substituted in lieu thereof. (*Effective from passage*):

Sec. 138. The State Board of Education shall work jointly with the local or regional board of education to identify and assign a ~~special master~~ district turnaround specialist to administer the educational operations for the town of Windham to assist the school district in making adequate yearly progress for whole district performance in both reading and mathematics under the No Child Left Behind Act, P. L. 107-110. Such ~~special master~~ district turnaround specialist shall (1) work collaboratively with the local board of education for Windham and the Windham superintendent of schools, parents of students attending schools in the town of Windham, community leaders in the town of Windham, school governance councils and the exclusive bargaining unit representative to implement the provisions of the improvement plan for the school district, developed pursuant to subsection (a) of section 10-223e of the general statutes; (2) implement the provisions of subparagraphs (A), (C), (D), (E), (F), (H), (I), (J), (L) and (M) of subdivision (2) of subsection (c) of section 10-223e of the general statutes; (3) manage and allocate any federal, state and local education funds of the school district; and (4) report regularly to the State Board of Education, the local board of education and the committee of cognizance in the General Assembly on matters relating to the progress of implementing the improvement plan for the school district and the effectiveness of the local board of education and the superintendent of schools. The ~~special master~~ district turnaround specialist shall serve at the pleasure of the State Board of Education and the local board of education for a period not to exceed one school year ~~following the school year that the Windham school district makes adequate yearly progress for whole district performance in both reading and mathematics under the No Child Left Behind Act, P. L. 107-110~~ and shall meet qualifications pursuant to Section 2 of this act. The State Board of Education may renew the district turnaround specialist's term annually, for a maximum of three years with the consent and approval of the local board of education.

(b) Notwithstanding the provisions of sections 1-210 and 10-151c of the general statutes, the ~~special master~~ district turnaround specialist and the State Board of Education shall have access to all records, facilities, communications and meetings, including, but not limited to, executive sessions of the local board of education, that may be relevant to implementing the provisions of this section.

(b)(2) The district turnaround specialist shall hold monthly public informational forums in the local or regional school district to share information and solicit input from community stakeholders. Such public forums shall be held in a public building and scheduled at times that allow for maximum community participation.

(c) (1) The State Board of Education may require the Windham board of education to request to the exclusive representative of a bargaining unit to reopen the negotiation process and present a proposed revision to the existing collective bargaining agreement for the sole purpose of implementing the improvement plan for the school district, developed pursuant to subsection (a) of section 10-223e of the general statutes, and relevant salary, hours and other conditions of employment. Such exclusive representative shall have five days to respond to such request and if the exclusive representative fails to respond the exclusive representative shall be deemed to have denied such request.

(2) If the exclusive representative agrees to the request to reopen negotiations, the parties shall enter into negotiations. Such negotiations shall be limited to the implementation of the improvement plan for the school district, developed pursuant to subsection (a) of section 10-223e of the general statutes, and relevant salary, hours and other conditions of employment. Such negotiations shall be completed no later than thirty days from the date when the exclusive representative agrees to the request to reopen negotiations.

(3) Any agreement reached by the parties, pursuant to subdivision (2) of this subsection, shall be submitted for approval by the members of the exclusive bargaining representative employed by the Windham board of education. Such agreement shall be ratified upon a majority vote of the members of such exclusive bargaining representative.

(4) If the parties reach an impasse on one or more issues following negotiations or if the members of the exclusive bargaining representative fail to ratify the agreement, in accordance with the provisions of subdivision (3) of this subsection, then the parties shall proceed to the expedited arbitration process described in subdivision (5) of this subsection.

(5) Not later than five days after the date the parties reach impasse on one or more issues or the members of the exclusive bargaining representative fail to ratify the agreement, in accordance with the provisions of subdivision (3) of this subsection, the parties shall select a single impartial arbitrator in accordance with the provisions of subsection (c) of section 10-153f of the general statutes. Not later than ten days after the selection of the single impartial arbitrator, such arbitrator shall conduct a hearing in the town of Windham. At such hearing the parties shall submit to such arbitrator their respective positions on each individual issue in dispute between them in the form of a

last best offer. Not later than twenty days following the close of such hearing, such arbitrator shall render a decision, in writing, signed by such arbitrator, which states in detail the nature of the decision and the disposition of the issues by such arbitrator. Such arbitrators shall give the highest priority to the educational interests of the state pursuant to section 10-4a of the general statutes, as such interests relate to the children of Windham in arriving at a decision and shall consider other factors pursuant to subdivision (4) of subsection (c) of section 10-153f of the general statutes, in light of such educational interests. Such decision shall be final and binding.