



Testimony of
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Education Committee Hearing
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HB 6977 An Act Establishing Qualifications for the Commissioner of Education

HB 6968 An Act Authorizing the Use of School Paraprofessionals to Serve as Short-Term Substitute Teachers

HB 6979 An Act Establishing A Task Force to Study Declining Student Enrollment

Good afternoon Senator Slossberg, 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 more than 30,000 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 today.

HB 6977 An Act Establishing Qualifications for the Commissioner of Education

We applaud this committee's effort to establish minimum qualifications for the Commissioner of Education in statute. HB 6977 requires that eligible candidates possess what our members consider to be the most vital prerequisite of all – classroom teaching experience. Countless studies have shown that qualified, certified educators deliver the highest quality instruction and have the greatest positive impact on student learning. We have set high standards for teachers, administrators and superintendents. We should also establish high standards for the state's chief education officer.

The Commissioner of Education, with advice and consent of the General Assembly, develops, directs and implements state education policy and public school instruction. Since a large portion of that role involves providing direction and guidance to districts, schools and educators, it makes sense that the Commissioner should have a similar professional background. Without that share experience, no Commissioner can be credible or effective.

AFT Connecticut felt so strongly about the need to create minimum standards for future Commissioners that our members passed a resolution at our last convention in June. A copy is attached to my testimony. It calls for any future Commissioner of Education to meet the same criteria that any superintendent must meet in order to receive an 093 endorsement, i.e. 80 months of teaching experience, 30 months of full-time administrative or supervisory experience and 30 graduate hours beyond a Master's degree. We urge the committee to JFS this bill with the requirement that future Commissioners of Education be at least as qualified as district superintendents.

HB 6968 An Act Authorizing the Use of School Paraprofessionals to Serve as Short-Term Substitute Teachers

We believe HB 6968 is well intentioned, but we cannot support the bill for two reasons.

First, current statute requires substitute teachers to hold a bachelor's degree. We believe this is appropriate. During the 2012 negotiations on the omnibus education reform bill, we resisted efforts by some to lower the qualifications of substitute teachers. With increased accountability and scrutiny placed on teacher performance and the enormous pressure of delivering excellent standardized test results, it remains important

to our members that if they need to be away from the classroom, their absence won't be a completely unproductive time for their students.

Secondly, paraprofessionals play their own important roles in our schools. They reinforce instruction in classrooms and work with special needs students. As important as they are, paraprofessionals are in very short supply. Thousands in Connecticut have been laid off since the 2009 recession. Most of those positions have yet to be refilled. As a result, paraprofessionals are asked to take on multiple assignments or are frequently reassigned, often contrary to the requirements of IEPs and always to the detriment of their students.

The Program Review and Investigations Committee completed a study in December on School Paraprofessional Staffing Issues. I have attached the Executive Summary to my testimony. One recommendation made in the report would require the State Department of Education to randomly audit districts' substitute rosters, to ensure that each substitute holds the required bachelor's degree. This recommendation, coupled with others in the report, if enacted, would help reduce the likelihood that paraprofessionals are pulled from their assignments and allow them to provide better services to their students.

We understand that some collective bargaining agreements may offer financial incentives for paraprofessionals to serve as substitute teachers when needed, but we don't believe this is in the best interest of our students. Districts may already assign paraprofessionals with bachelor's degrees to substitute. But if HB 6968 passes, you will be giving license to districts to further divert all paraprofessionals from where they are needed most. We urge you to reject this bill.

HB 6979 An Act Establishing A Task Force to Study Declining Student Enrollment

Declining enrollment is a challenge facing many Connecticut school districts. A task force makes sense to get a handle on the causes and consequences, but we believe the proposed scope is too narrow and respectfully offer the following solutions:

- Enrollment is one variable that inevitably impacts discussions surrounding Education Cost Sharing (ECS) grants and the Minimum Budget Requirement (MBR). They should both be evaluated and addressed within the report.
- The task force should also examine the tools districts and the state use to identify and forecast enrollment shifts. What kind of data is used and have there been significant discrepancies between planned and actual enrollments?
- It would also be helpful if the task force offered recommendations about how to best educate Connecticut's children in light of declining enrollment. Perhaps regional strategies and other efficiencies could be identified to maximize resources and effectiveness.

Lastly, while there are some key education stakeholders named in the proposed makeup of the task force, there is no role explicitly reserved for classroom educators. We have found through the life cycles of many task forces, the best recommendations and workable solutions are identified when all stakeholders are working together in collaboration. We urge you to add a voice for teachers.

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



AFT Connecticut

A Union of Professionals

Requirements for Commissioner of Education

Whereas anyone seeking employment as a teacher in the State of Connecticut must hold a valid certificate issued by the Connecticut State Department of Education;

Whereas Section 10-145b of the Connecticut General Statutes outlines the requirements for educators to progress from initial educator to professional educator, which includes minimum years of actual classroom experience;

Whereas individuals seeking an 092 endorsement in administration must complete a minimum of 50 months of teaching experience and 18 graduate semester hours beyond a Master's degree;

Whereas individuals seeking an 093 endorsement for superintendent, must complete 80 months of teaching experience, including 30 months of full-time administrative or supervisory experience and 30 graduate hours beyond the Master's degree;

Whereas the Commissioner of Education, with the advice and consent of the General Assembly, develops, directs and implements education policy and public school instruction in Connecticut;

Whereas qualified, certified educators deliver the highest quality instruction and have the greatest impact on student learning;

Whereas all educators in the state are under increased scrutiny and accountability from legislators, boards of education, the media and the general public;

Be it therefore resolved that AFT Connecticut will advocate for policy and/or legislation that outlines mandates minimum educational and classroom experience for the State Commissioner of Education to include at least the same requirements as any individual serving as a superintendent in Connecticut must have; an 093 endorsement.

Kevin Doran

President, Middletown Federation of Teachers

Local 1381

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Executive Summary

School Paraprofessional Staffing

In June 2014, the Program Review and Investigations Committee voted to conduct a study of school paraprofessional staffing in Connecticut, specifically how these persons are being utilized in Connecticut K-12 public schools. The study was based on a request of the Connecticut Chapter of the American Federation of Teachers, which represents paraprofessionals in many Connecticut school districts. Union members and others have raised the issue that districts may be assigning school paraprofessionals in ways that render paras unable to effectively perform their core duties including those required by special education students through their individualized education plans (IEPs).

There were 14,450 non-certified instructional staff (NCIS) working in Connecticut in 2013. This was an increase of about 13 percent from a decade earlier but a decrease of 2 percent from the highest number of 14,741 in 2010. In Connecticut, paraprofessionals are not required to be certified, as they are in some states. While no state-required minimal standards are in place, there are federal requirements on what qualifications a paraprofessional must have if the district or school receives certain federal education funding.

Paraprofessionals may go by many different job titles – paraprofessional, paraeducator, tutor, aide, teacher assistant, and behavioral technician – to name a few. Similarly the duties paras perform are varied, from general classroom duties, to providing library/media support, to assisting one or more students with disabilities. The role of paraprofessional has evolved over the decades, and much of that has been in response to changing federal laws. The No Child Left Behind (NCLB) Act is the most recent of a series of laws designed to improve academic achievement for all students. That act requires that students, especially those from low-income backgrounds, are receiving instruction from highly qualified individuals, including instructional paraprofessionals.

Another federal law, the Individuals with Disabilities Education Act (IDEA) has perhaps had an even greater impact on the use of paraprofessionals in schools. That act requires that students with disabilities receive a free and appropriate public education in the least restrictive environment, spending as much time as possible with their non-disabled peers. As districts seek to implement that law, they often use paraprofessionals to assist students with disabilities, in general or special education settings.

PRI found that the inclusion rate of special education students in Connecticut has always exceeded the national average. In the year 2000, Connecticut was already including almost 60 percent of students with disabilities in general education classes with their non-disabled peers 80 percent of the time or more. Nationwide, that 60 percent level was reached only in 2010, a full decade later. By that time, Connecticut was including 73 percent of students with disabilities in classes with non-disabled peers at least 80 percent of the time.

As the inclusion rate was increasing in Connecticut, the number of special education paraprofessionals grew at an even faster pace. Indeed, that number of FTE special education paras doubled from almost 4,500 in 2005 to over 9,000 in 2010. In 2012, 67 percent of all instructional paraprofessionals were assigned to special education. It must be noted, however, that because of how para assignments must be reported to CSDE, while a paraprofessional may be designated as working in special education, that does not mean that she does not also support general education students as well.

Paraprofessionals in Connecticut are, on the whole, not highly compensated. While many paraprofessionals are unionized, the average annual compensation of \$29,230 is less than half the average \$68,580 paid to teachers in Connecticut. Education funding in Connecticut has been fairly flat over the past few years, increasing about 1.9 percent annually, before adjusting for inflation. As a result, local districts have been looking to cut their budgets. Some districts have trimmed the number of paraprofessionals, but overall the statewide number of FTE paras has stayed fairly constant. A different situation exists with certified teachers where the number employed in Connecticut public schools has dropped by almost 5,000, or 10 percent, since 2008-09. While this, to some extent, dispels the myth that paraprofessionals positions are being cut to reduce school budgets, it may well be that districts are

reducing hours of paraprofessionals, and/or only hiring part-time paras. No data on the number of full-time versus part-time paras exists, and while PRI staff surveyed districts to collect that information, because of a fairly low response rate, it is difficult to reach any definite conclusions from the results.

Many of the collective bargaining agreements (CBAs) covering unionized paras include stipends for extra duties, like feeding, toileting or diapering, or other student personal care. Other CBAs offered these lump sum bonuses for specialized training or possessing advanced education or credits. Almost all CBAs offered some type of longevity bonus for staff who had been employed with the district for a long time, which may help with paraprofessional retention. In terms of filling vacancies, districts reported to CSDE that, of positions available at the beginning of the school year, only 12 percent were still unfilled at the beginning of October.

PRI compared the ratios of students to certified and noncertified staff among districts and district reference groups (DRGs), CSDE's categorization of districts into nine groupings that share similar socio-economic characteristics. One metric where there was little variation was the number of special education paraprofessionals per special education teacher. The statewide ratio was 2:1, but the range among the DRGs was from a ratio of 1.3 special education paras per special education teachers in DRG I to a ratio of 2.2:1 in DRGs C and F. This is important as it indicates that for the most part special education teachers do not have great numbers of paras to supervise in addition to their students.

While Connecticut has no statewide mandates for general class size, 27 states have established such standards, and 16 of those states include non-certified staff as factors in the ratios (e.g., the class size could be adjusted upward if an aide is present). However, standards for special education staffing are much more difficult to set given the range of complexity of student needs, and other factors. PRI found that while states may require these factors to be considered when staffing for special education, the study found no ratios that could be used as a gauge to measure district staffing of paraprofessionals. While there was considerable variation in Connecticut's DRGs in special education staff metrics, a higher metric in one area may be offset by a lower metric in another. For example, DRG I had a much higher number of special education students to paraprofessionals than the statewide average, but lower ratios of both special education students and all students to certified special education teachers.

PRI's review of the general literature on student outcomes and use of paraprofessionals revealed:

- Fairly strong evidence that, when appropriately trained and supported to deliver research-based interventions, paraprofessionals are effective at improving student performance, particularly in literacy programs in the early elementary years.
- No evidence that assignment of paraprofessionals to assist in general education classrooms leads to improved outcomes for all students or for students with disabilities generally.
- Some evidence that the presence of paraprofessionals in both general education classrooms and special education classrooms can result in more teacher time being spent on instruction, more student time-on-task, and increased interaction between students with disabilities and their non-disabled peers.

There is really no data available to conduct an in-depth investigation of the impact paraprofessionals have on student achievement in Connecticut schools. Nor is there any agreement as to what outcomes may logically relate to the use of paraprofessionals in all school districts, given the difficulty in knowing exactly what all, or even most, paraprofessionals do in each school district. Nevertheless, PRI looked for correlations between paraprofessionals in a district – as measured by the number of students per paraprofessional – to broad student outcomes like graduation rates, test scores at various grade levels, and chronic student absenteeism. The results showed a single small significant correlation – more students per paraprofessional correlated with a higher district-wide chronic absentee rate. What this demonstrates, in concert with the lack of correlation with any other variable tested, is that most measures of student performance are more likely to be linked to other factors, such as those factors that already control assignment to Connecticut's school district reference groups.

Through a review of public reports CSDE and individual school districts have issued relating to the delivery of special education and related services, PRI found that several districts have written individualized educational

programs (IEPs) using vague language to describe paraprofessional support. Non-specific reference to “adult support” or providing paraprofessional support “as needed” makes it difficult to monitor IEP implementation. PRI recommends that CSDE take steps to reduce the frequency with which this occurs. PRI also found that paraprofessionals may not be adequately informed or trained in what supports a student needs in an IEP. Thus, PRI recommends that all districts be required to provide at least three hours of training before the start of the school year.

PRI found that there are a number of ways that paraprofessionals can express or assert concerns that they are being used inappropriately. First, there is an administrative complaint process within CSDE’s Bureau of Special Education where paraprofessionals can lodge a complaint if they believe a student’s IEP is not being followed. Second, there are processes in place for paraprofessionals to file labor grievances or complaints around management practices, such as when they believe a district is violating their collective bargaining agreement or is failing to bargain over the impact management decisions have on conditions of their employment. While it may be that paraprofessionals are reluctant to pursue either complaint process for fear of retaliation, there are both contractual and legal prohibitions adequate to protect against such retribution.

PRI found that because paraprofessionals are not certified, and because there are no state mandates on minimal requirements, CSDE does not have reliable information on what educational qualifications paraprofessionals possess in Connecticut. PRI also found that CSDE does not exercise sufficient oversight of: 1) district use of substitute teachers; 2) whether districts have an adequate number of substitutes; or 3) whether the substitutes possess the minimum requirement of a bachelor’s degree or have obtained a CSDE-waiver if they do not. If districts do not have adequate numbers of substitutes with appropriate qualifications, it is more likely that districts will use inappropriately use paraprofessionals for class coverage, whether they have a degree or not.

PRI found that the state and districts have made progress in recognizing the value of paraprofessionals, including through the activities of the School Paraprofessional Advisory Council. Committee staff makes a number of recommendations pertaining to the advisory council, including a requirement for CSDE staff support, and election of a chairperson from among its members.

At its December 17, 2014, meeting the PRI committee voted to approve 11 recommendations designed to facilitate use of existing procedures to address concerns about inappropriate use of paraprofessionals, improve the job preparation of paraprofessionals, and elevate the stature of the School Paraprofessional Advisory Council. A number of recommendations are aimed at improving CSDE’s role in monitoring and oversight of the use of paras in special education, ensuring that Title I requirements for paraprofessionals are being met, and that districts have adequate numbers of qualified substitute teachers. Administrative recommendations around CSDE’s complaint process should improve public access to information around the complaints and disposition. The 11 recommendations are:

- 1. The Department of Labor (DOL) should make all final decisions and awards of the State Board of Mediation and Arbitration and State Board of Labor Relations available online. Further, because many of matters before both boards are resolved before final decision or award, searchable summary information on all grievances and complaints should also be available on DOL’s website.**
- 2. The State Department of Education should collect information about Title I paraprofessionals annually, summarize the information, and post on its website. At a minimum, the posted data should include: the number of paraprofessionals covered by NCLB; the number who have not met the NCLB requirements; the number of districts out of compliance; and the types of actions taken by the districts.**
- 3. The State Department of Education’s focused monitoring process should include an inspection of a random sample of Individualized Educational Programs (IEPs) to**

ensure that the language outlining paraprofessional services is written with enough specificity regarding the amount of time a paraprofessional is to provide support to a student and what that support entails. This will inform the consultant team, if that district is selected for phase-three assistance, on whether IEP specificity is an issue, and if so, allow the CSDE to provide technical assistance in writing IEPs. If the IEPs do indicate specifically what and how much paraprofessional assistance is to be provided, then the in-district focused monitoring sessions should examine whether the IEPs are being followed.

4. Regarding the Special Education Administrative Complaint Process, the State Department of Education shall:

- seek to modify the state regulations pertaining to special education to include the process and procedures for filing an administrative complaint;
- issue a policy brief about the availability and mechanics of the process and circulate it to organizations and groups interested in special education services, including the School Paraprofessional Advisory Council; and
- make the Complaint Resolution Process, as well as the complaint form, available on its website in a manner that is easily accessible to the public.

5. The State Department of Education should establish a system or systems whereby one or more of the following takes place:

- (1) all final decisions on administrative complaints are written in a way that does not reveal the identity of individual students and made available on its website in the same way as due process final decisions;
- (2) a summary table is placed on its website and updated quarterly containing information to include: (a) type of complainant (parent, agency/advocacy organization, LEA, other); (b) district or districts involved; (c) nature of complaint; (d) whether complaint is withdrawn, dismissed or going to final decision; (e) date of final decision; (f) if final decision includes findings of non-compliance the nature of the non-compliance; (g) any corrective action ordered to be taken; (h) the date upon which follow-up monitoring confirms that corrective action has been taken; and/or (3) interested individuals or organizations can, for a small fee, automatically receive copies of all final decisions on the merits on any administrative complaint, regardless of whether or not that complaint involves a request for due process.

6. The State Department of Education should develop and distribute a policy brief stating that IEPs should be drafted in such a way as to clearly identify the type of employee (i.e., certified vs. non-certified) providing services and supports and explaining how to appropriately specify the frequency and duration of such services and supports. The brief should provide examples of both appropriate and inappropriate language and clearly indicate where in the IEP this information should appear.

7. The State Department of Education should conduct a random audit of a sample of districts' rosters of substitute teachers and verify that each individual listed has a bachelor's degree, or that the district has a waiver for that individual. Secondly, CSDE should assess whether the number of substitutes on the roster appears adequate to meet the needs of the district, given the size, number of schools, and composition of the student body. If the roster appears inadequate, CSDE should further examine what those districts are doing to ensure adequate classroom coverage by qualified staff when teachers are absent.

8. To ensure at least some preparation for the requirements of paraprofessional positions, all school districts shall be required to provide a minimum of three hours of training, with pay, for all instructional

paraprofessionals prior to the start of the school year. That time should be spent with the immediate supervisor of the paraprofessional, who will provide such information as necessary to educate the paraprofessional on his or her role and responsibilities and ensure full knowledge of all duties he or she will be expected to perform.

If paraprofessionals are hired after the start of the school year, or, if there are reassignments during the school year, the districts shall provide the same number of hours of training prior to a paraprofessional performing new duties in a classroom and/or with an individual student or students.

9. The State Department of Education should redouble its efforts to inform districts about paraprofessionals having access to information contained in student IEPs. This could be done through reissuing the existing brief on this topic and distributing it to: all district Directors of Special Education; the Connecticut Association of Boards of Education; the Connecticut Association of Public School Administrators; the Connecticut Association of Schools; the Connecticut Council of Administrators of Special Education; parent advocacy groups; and other organizations with an interest in special education.

10. Regarding the School Paraprofessional Advisory Council:

- The State Department of Education shall be required to provide staff support for the council and its work.**

- **CSDE support staff should ensure that all School Paraprofessional Advisory Council meetings and agendas be posted at least 48 hours in advance of the meeting on the CSDE website for paraprofessionals. The advisory council shall be expanded to include: two paraprofessionals who do not belong to a union; a special education teacher involved in supervising a paraprofessional; a representative of one of the higher education institutions offering teacher preparatory programs; and a parent who has a child who is currently receiving, or in the past has received, instructional paraprofessional support.**
- **The council shall elect a chairperson from among its members, and the term of the chair should be for two years.**
- **The CSDE staff support functions should include securing a public meeting place for the council as well as posting the meeting location on the CSDE website for paraprofessionals at least 48 hours in advance of the meeting.**
- **CSDE should establish a list of current contact persons in each district who will be responsible for disseminating information to paraprofessionals in that district. The contact list should be reviewed annually by the Advisory Council and updated by CSDE.**

11. The State Department of Education should develop individual briefs around topic areas contained in the Guidelines for Training & Support of Paraprofessionals and post them on CSDE's website for paraprofessionals.