



STATE OF CONNECTICUT

STATE DEPARTMENT OF EDUCATION



Connecticut General Assembly Education Committee

Testimony of Interim Commissioner Dianna R. Wentzell March 19, 2015

Thank you Senator Slossberg, Representative Fleischmann, Senator Boucher, Representative Lavielle, and members of the Education Committee for the opportunity to comment on proposals before you today.

I am Dr. Dianna Wentzell, Interim Commissioner at the Department of Education.

The Department strongly supports Senate Bill No. 1102 (#16 on today's agenda), Senate Bill No. 1097 (#14 on today's agenda), House Bill No. 7024 (#15 on today's agenda), and Senate Bill No. 1100 (#18 on today's agenda). I thank the committee for raising these agency-submitted proposals for consideration.

Senate Bill No. 1102, An Act Concerning Certification Requirements For Bilingual Educators would offer the Department additional flexibility in attracting bilingual educators to teach in Connecticut, broaden options for bilingual teacher preparation and certification, and increase the number of current educators who seek bilingual endorsements. The Department welcomes and appreciates the Committee's focus on bilingual education this year, as teacher shortages in this area are due to become more acute: nearly half of Connecticut's bilingual education teachers will be eligible for retirement in the next five years.

The proposal before you would provide for (1) an extension of temporary bilingual certificates for teachers already employed in school districts while they work to pass testing requirements for certification, (2) streamline certain bilingual educator certification requirements, and (3) extend to bilingual classrooms the ability of districts to fill vacancies with qualified visiting international teachers. In addition, the proposal would position resources, as available, to assist bilingual teacher candidates with test preparation and scholarships to complete the required certification coursework. We would add that this proposal is designed to be a short-term measure. The Department has been substantially engaged with the MORE Commission on the delivery of ELL services, and looks forward to continued collaboration on long term strategies.

House Bill No. 7024, An Act Concerning Measures For Calculating School And District Performance And Waivers Of Federal Law Sought By The Department Of Education proposes revisions to state law designed to reflect Connecticut's transition to new standardized assessments and broader measures used to calculate school and district performance. Additional measures envisioned in the performance calculations include student achievement growth over time, attendance, graduation rates and college readiness, among others – allowing for creation of a much more robust and fair overall performance metric. This language aligns with the state's efforts to seek continued flexibility from strictures under the federal No Child Left Behind Act. The Department would offer one clarification, in Section 1(a)(1), that academic achievement and growth are the only measures derived from mastery test data, not attendance, graduation rates, and other data points that appear in the definition. As written, this distinction may not be clear.

Furthermore, the Department has concerns regarding the requirement to bring all future ESEA waiver requests before the Education Committee for approval. Currently, public notice and stakeholder engagement are non-negotiable requirements of the U.S. Department of Education's submission process—a responsibility we take very seriously. The CSDE has engaged practitioners and stakeholders substantially throughout the implementation of our plan. Over the past year, we solicited feedback and ideas from educators, parents, school and district leaders, higher education, and advocates around modifications and improvements to our approved ESEA flexibility request. The Department has also publicly discussed and presented on the renewal

process and components at the November, December, January, and March State Board of Education meetings over the past six months. We would welcome the opportunity for further conversations with the committee regarding this language.

Senate Bill No. 1100, An Act Concerning The Elimination Of The Reporting And Collection Of Certain Student And Teacher Data proposes that state mandated profile report statutes incorporate more meaningful data points such as attendance and college and career readiness, while at the same time reducing collection burdens for districts. The Department has completed substantial internal work on updating and streamlining these next generation profile and performance reports, which serve as valuable informational tools for families and a standard basis for comparison among communities. We would be happy to share with committee members drafts to give you a better sense of what these update reports will look like. We believe that these changes will make them far more user/parent friendly while reducing the burden on districts.

Senate Bill No. 1097, An Act Concerning State Funding For Education includes several minor statutory revisions. The first would extend non-supplanting language for the Agricultural Science and Technology Education (ASTE) Grant for an additional year, which will fix a timing issue since the state budget is typically adopted after local district budgets. Also related to the ASTE Grant is the institution of a cap, which allows the Department to pro-rate the grant based on the funding appropriated.

Separately, in Section 3, we ask to allow Plainville school district to access supplemental transportation funds as part of the Open Choice program. Plainville has opted to transport Open Choice students that are attending school in Plainville. They are the only district participating in the program to do so. This has enabled Open Choice students in their district to consistently arrive on time and be able to participate more fully in after school activities. Plainville reports that the cost of transporting Open Choice students has exceeded the maximum grant amount of \$3,250 by a small amount. Unfortunately, they are currently ineligible for supplemental transportation as the RESCs. Even while their costs exceed the current amount, Plainville's decision to transport open choice students is proving less expensive than RESC transportation. Ultimately, we may learn that this practice holds promise for expanding options and finding efficiencies in our regional transportation system.

The Department would also like to offer its strong support for **House Bill No. 7017, An Act Concerning Student Data Privacy**, which proposes contractual provisions for agreements between districts and contractors providing electronic storage of records. The proposed bill is substantially aligned with contracting policies the Department currently follows.

In terms of clarification, the committee may wish to consider more explicit language about terms of destruction of data, identification of data custodians, and procedures in place for data breaches, along with district auditing provisions to ensure compliance. A further point of clarification: committee members should be aware that Section 3 creates a higher standard for sharing directory information than federal law (FERPA), and that a determination of "good cause" for sharing student information may require additional guidance.

The Department would also like to offer comments on **Senate Bill No. 1096, An Act Concerning Charter Schools** which proposes several updates to existing statutes. We absolutely share this committee's desire to strengthen oversight, transparency and accountability of charter schools and have been working for months now to that end.

At the Education Committee's February 25, 2015 public hearing the Department submitted testimony in strong support of the Governor's proposal - **Senate Bill No. 943, An Act Concerning Charter School Modernization And Reform** - on enhanced measures for charter school oversight and transparency. This modernization bill would expand upon and systematize the CSDE's efforts taken since this summer to strengthen charter school oversight, transparency and accountability.

In August, the CSDE convened a meeting with representatives of all charter schools to introduce and explain new Department oversight policies.

The CSDE has already implemented or is in the process of implementing the following new policies that immediately impact six schools currently in the midst of their charter renewal process; remaining charter compliance will be assessed through existing, required annual reporting due to be submitted to the Department this fall:

- Background checks, previously required only for certified/licensed charter school personnel, are now required for all charter employees and charter school management (CMO) staff, as well as charter board members and contractors working in close proximity to students.
- All charter schools are now required to adopt and adhere to explicit, written anti-nepotism and conflict of interest policies, with signed statements kept on file and subject to audit by the Department.
- Charter board members must receive training, at least once during each renewal cycle, on principles of board oversight, recruitment, hiring practices, and financial management.
- A requirement for enhanced new chartering process, renewal process and annual reporting in key areas, including new performance metrics.

Attached to this testimony, you will find: (1) the new performance framework (including statements of assurances, standards, and sub-indicators) aligned to National Association of Charter School Authorizers (NACSA) standards/best practices; (2) the new performance rubric aligned to NACSA standards/best practices; (3) the new renewal process toolkit; and (4) a draft of the new annual reporting template/process, which will launch this fall.

Concerning Senate Bill 1096, there are significant areas of agreement with the Governor's bill and current Department policy, including:

- Recalibration of annual reporting requirements to modernize and strengthen oversight, transparency and accountability;
- The requirement that local and state charter schools' annual audits and reports be made available on CSDE's website, which is aligned with current efforts;
- Proposed, explicit references in the bill to objective and independent auditing and monitoring of charter operations;
- Proposed, explicit language that public comments are to be included in charter approval processes, which aligns with current practice; and
- Again, our very strong support for criminal and abuse registry background check requirements for charter school governing councils, CMO's and for sub-contractors who have direct contact with students.

Given the implementation of policies at the Department and current proposals before you, we look forward to building on these areas of agreement.

Other proposals on today's agenda that the Department wishes to offer brief comments:

House Bill No. 7018, An Act Concerning Alternative Education proposes development of a definition for alternative schools and guidelines for provision of these services in Connecticut, which the CSDE strongly supports. Substantial, thoughtful work has been completed around this issue. In August 2014, the CSDE convened an alternative schools committee that has been meeting regularly with a broad array of stakeholders. A final draft of the committee's report is due to be presented to the State Board of Education in the near future. House Bill No. 7018, in large measure, reflects the work and goals of this committee.

One area for potential clarification is in Section 1(b), which requires alternative education programs to comply with certain statutory requirements, which may restrict some flexibility alternative schools leverage to reach and retain certain students. The Department would welcome additional discussion on how best this provision can achieve its intended result.

Senate Bill No. 1095, An Act Concerning Student Assessments would require a study of statewide assessments and their alignment to student learning. At the direction of Governor Malloy, the Department has already taken important steps to help reduce the amount of time Connecticut students spend taking standardized tests. We have convened a workgroup of educational stakeholders and experts to explore options for reducing the test burden for Grade 11 students under existing federal laws. We recently distributed new grant opportunities to help Connecticut school districts assess their testing regimes and reduce the amount of time students at all grade levels spend taking tests. This work continues, and the Department looks forward to additional dialogue with committee members.

Senate Bill No. 1103, An Act Concerning School Districts Of Innovation proposes that a program shall be established allowing the Commissioner of Education to waive certain statutory requirements in cases where local or regional boards of education develop “creative approaches to addressing issues and challenges.” This goal of streamlining where possible is an ongoing area of focus of the Department, as seen in Senate Bill No. 1100 on today’s agenda. As currently written, this legislation gives the Commissioner of Education the discretion to waive certain provisions, and we recommend that this authority rest with the State Board of Education instead. In addition, we also note the Department does not have the authority to waive provisions of federal law.

Senate Bill No. 1098, An Act Concerning Teacher Certification Requirements For Shortage Areas, Interstate Agreements For Teacher Certification Reciprocity, Minority Teacher Recruitment And Retention And Cultural Competency Instruction proposes various changes to teacher preparation, certification, and professional learning statutes. While the Department understands the intent with regard to proposed certification changes, adoption as written could create the unintended consequence of different credentialing regimes for in-state vs. out-of-state practitioners in several instances. That said, certain proposed revisions merit additional consideration, including returning the elementary teaching certificate to K-Grade 6 (currently it is Grade 1-6), having teacher preparation clinical experiences include work in an Alliance District, and inclusion of cultural competency in-service training. We would welcome the opportunity for further discussion to make sure these ideas are aligned and workable with our existing framework.

House Bill No. 7023, An Act Concerning Minor Revisions To The Education Statutes proposes a number of minor technical revisions to education statutes, including changing the title of special master to district improvement officer, which the Department supports. For further clarification, the Department would welcome additional discussion concerning revisions to prescribed in-school screening schedules, to assure that the proposal achieves its intended result. In addition, the Department supports the intent of Section 9 concerning parent notification to districts of their children’s lottery status. However, enforceability and the timeline proposed, would prevent this concept from achieving its intended result. Finally, Section 14 requires provision of notice to families regarding the Supplemental Nutrition Assistance Program. There is no current mechanism where the CSDE may communicate directly with parents in this instance; current practice is that information in these cases is provided to districts, which then provide directly to families. Again, the Department is happy to work with the committee to find workable solutions to the issues highlighted in this proposal.

House Bill No. 7016, An Act Implementing The Recommendations Of The MORE Commission Special Education Select Working Group includes several proposals designed to revise special education statutes. The Department welcomes the focus on the provision of special education and has participated substantially in MORE Commission discussions, meetings, and information collection. The Department supports annual reporting of IDEA funds received and spent (Section 1), and provisions leading to development of a new IEP form (Section 4), although the Department would broaden the group of stakeholders further.

The Department would seek further clarification on the following:

- In Section 2, while districts provide special education and related services, some of which are eligible for Medicaid reimbursement, we do not believe that Medicaid funds should be equated with special education funding as present language might suggest.
- Section 4 references a “Program Advisory Council.” If this is the federally funded parent information center, we would suggest inclusion of the following language: “the parent training and information center for Connecticut established pursuant to the Individuals With Disabilities Education Act, 20 USC 1400 et seq., as amended from time to time.”
- Section 6 references an Illinois data system, and there may be consequences to citing another state’s regulatory structure, especially if there are different mechanisms employed for data collection.
- Section 6 also may include some conflicting dates – a digital IEP is to be piloted from June 30, 2016 through June 30, 2017 while a new, more user-friendly IEP is to be presented January 1, 2017; it may make sense for the user-friendly rollout to come first.

Again we thank the Legislature for their focus on special education and look forward to continued discussion and collaboration.

[H.B. No. 7019 An Act Concerning The Minimum Budget Requirement](#) proposes statutory revisions that would allow savings associated with reduced enrollment at a greater level than currently authorized. As written in Section 2, the Department is – and has been - supportive of additional flexibility for districts to count deductions towards MBR calculations. Other proposed provisions, such as Resident Student deduction changes and waivers for certain districts, may add further complexity and unintended consequences to MBR calculations. The Department looks forward to additional discussion on this issue.

House Bill No. 7021, An Act Concerning Teacher Preparation Program Efficacy proposes submission of a report on teacher preparation program quality by the Office of Higher Education. While the Office of Higher Education is a critical partner with the CSDE in ongoing efforts to strengthen our teacher preparation pipeline – particularly through CSDE’s standing Education Preparation Advisory Committee (EPAC) that engages multiple stakeholders - this work is more appropriately directed to the CSDE. The Department would welcome additional opportunities to discuss EPAC’s evolution, progress, and current initiatives in support of the intent of this proposal.