



# House of Representatives

General Assembly

**File No. 597**

*January Session, 2015*

House Bill No. 7018

*House of Representatives, April 13, 2015*

The Committee on Education reported through REP. FLEISCHMANN of the 18th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

## ***AN ACT CONCERNING ALTERNATIVE EDUCATION.***

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

1 Section 1. (NEW) (*Effective July 1, 2015*) (a) As used in this section,  
2 "alternative education" means a school or program maintained and  
3 operated by a local or regional board of education that is offered to  
4 students in a nontraditional educational setting and addresses the  
5 social, emotional, behavioral and academic needs of such students.

6 (b) A local or regional board of education may provide alternative  
7 education to students, in accordance with guidelines established by the  
8 State Board of Education pursuant to section 2 of this act. A local or  
9 regional board of education may use space in an existing school or  
10 establish a new school for the purposes of providing alternative  
11 education to students. Alternative education shall be provided in  
12 accordance with the provisions of sections 10-15 and 10-16 of the  
13 general statutes and shall be subject to all federal and state laws  
14 governing public schools.

15 (c) Each local and regional board of education shall make available  
16 on its Internet web site information relating to alternative education  
17 offered under this section, including, but not limited to, the purpose,  
18 location, contact information, staff directory and enrollment criteria for  
19 such alternative education.

20 Sec. 2. (NEW) (*Effective July 1, 2015*) (a) The Department of  
21 Education shall develop guidelines for the provision of alternative  
22 education, as defined in section 1 of this act. Such guidelines shall  
23 include, but not be limited to, a description of the purpose and  
24 expectations of alternative education, criteria for who is eligible to  
25 receive alternative education, criteria for how and when a student may  
26 enter or exit alternative education.

27 (b) The department shall assign an identification code and  
28 organization code to each school or program of alternative education  
29 provided by a local or regional board of education for purposes of  
30 collecting, tracking and monitoring such alternative education in the  
31 public school information system, pursuant to section 10-10a of the  
32 general statutes.

33 Sec. 3. Subsection (a) of section 10-220 of the general statutes is  
34 repealed and the following is substituted in lieu thereof (*Effective July*  
35 *1, 2015*):

36 (a) Each local or regional board of education shall maintain good  
37 public elementary and secondary schools, implement the educational  
38 interests of the state, as defined in section 10-4a, and provide such  
39 other educational activities as in its judgment will best serve the  
40 interests of the school district; provided any board of education may  
41 secure such opportunities in another school district in accordance with  
42 provisions of the general statutes and shall give all the children of the  
43 school district, including children receiving alternative education, as  
44 defined in section 1 of this act, as nearly equal advantages as may be  
45 practicable; shall provide an appropriate learning environment for all  
46 its students which includes (1) adequate instructional books, supplies,  
47 materials, equipment, staffing, facilities and technology, (2) equitable

48 allocation of resources among its schools, (3) proper maintenance of  
49 facilities, and (4) a safe school setting; shall, in accordance with the  
50 provisions of subsection (f) of this section, maintain records of  
51 allegations, investigations and reports that a child has been abused or  
52 neglected by a school employee, as defined in section 53a-65,  
53 employed by the local or regional board of education; shall have  
54 charge of the schools of its respective school district; shall make a  
55 continuing study of the need for school facilities and of a long-term  
56 school building program and from time to time make  
57 recommendations based on such study to the town; shall adopt and  
58 implement an indoor air quality program that provides for ongoing  
59 maintenance and facility reviews necessary for the maintenance and  
60 improvement of the indoor air quality of its facilities; shall adopt and  
61 implement a green cleaning program, pursuant to section 10-231g, that  
62 provides for the procurement and use of environmentally preferable  
63 cleaning products in school buildings and facilities; on and after July 1,  
64 2011, and triennially thereafter, shall report to the Commissioner of  
65 Administrative Services on the condition of its facilities and the action  
66 taken to implement its long-term school building program, indoor air  
67 quality program and green cleaning program, which report the  
68 Commissioner of Administrative Services shall use to prepare a  
69 triennial report that said commissioner shall submit in accordance with  
70 section 11-4a to the joint standing committee of the General Assembly  
71 having cognizance of matters relating to education; shall advise the  
72 Commissioner of Administrative Services of the relationship between  
73 any individual school building project pursuant to chapter 173 and  
74 such long-term school building program; shall have the care,  
75 maintenance and operation of buildings, lands, apparatus and other  
76 property used for school purposes and at all times shall insure all such  
77 buildings and all capital equipment contained therein against loss in  
78 an amount not less than eighty per cent of replacement cost; shall  
79 determine the number, age and qualifications of the pupils to be  
80 admitted into each school; shall develop and implement a written plan  
81 for minority staff recruitment for purposes of subdivision (3) of section  
82 10-4a; shall employ and dismiss the teachers of the schools of such

83 district subject to the provisions of sections 10-151 and 10-158a, as  
84 amended by this act; shall designate the schools which shall be  
85 attended by the various children within the school district; shall make  
86 such provisions as will enable each child of school age residing in the  
87 district to attend some public day school for the period required by  
88 law and provide for the transportation of children wherever  
89 transportation is reasonable and desirable, and for such purpose may  
90 make contracts covering periods of not more than five years; may  
91 [place in an] provide alternative [school program] education, in  
92 accordance with the provisions of section 1 of this act, or [other] place  
93 in another suitable educational program a pupil enrolling in school  
94 who is nineteen years of age or older and cannot acquire a sufficient  
95 number of credits for graduation by age twenty-one; may arrange with  
96 the board of education of an adjacent town for the instruction therein  
97 of such children as can attend school in such adjacent town more  
98 conveniently; shall cause each child five years of age and over and  
99 under eighteen years of age who is not a high school graduate and is  
100 living in the school district to attend school in accordance with the  
101 provisions of section 10-184, and shall perform all acts required of it by  
102 the town or necessary to carry into effect the powers and duties  
103 imposed by law.

104 Sec. 4. Subsection (c) of section 10-220 of the general statutes is  
105 repealed and the following is substituted in lieu thereof (*Effective July*  
106 *1, 2015*):

107 (c) Annually, each local and regional board of education shall  
108 submit to the Commissioner of Education a strategic school profile  
109 report for each school and school or program of alternative education,  
110 as defined in section 1 of this act, under its jurisdiction and for the  
111 school district as a whole. The superintendent of each local and  
112 regional school district shall present the profile report at the next  
113 regularly scheduled public meeting of the board of education after  
114 each November first. The profile report shall provide information on  
115 measures of (1) student needs, (2) school resources, including  
116 technological resources and utilization of such resources and

117 infrastructure, (3) student and school performance, including truancy,  
118 (4) the number of students enrolled in an adult high school credit  
119 diploma program, pursuant to section 10-69, operated by a local or  
120 regional board of education or a regional educational service center, (5)  
121 equitable allocation of resources among its schools, (6) reduction of  
122 racial, ethnic and economic isolation, and (7) special education. For  
123 purposes of this subsection, measures of special education include (A)  
124 special education identification rates by disability, (B) rates at which  
125 special education students are exempted from mastery testing  
126 pursuant to section 10-14q, (C) expenditures for special education,  
127 including such expenditures as a percentage of total expenditures, (D)  
128 achievement data for special education students, (E) rates at which  
129 students identified as requiring special education are no longer  
130 identified as requiring special education, (F) the availability of  
131 supplemental educational services for students lacking basic  
132 educational skills, (G) the amount of special education student  
133 instructional time with nondisabled peers, (H) the number of students  
134 placed out-of-district, and (I) the actions taken by the school district to  
135 improve special education programs, as indicated by analyses of the  
136 local data provided in subparagraphs (A) to (H), inclusive, of this  
137 subdivision. The superintendent shall include in the narrative portion  
138 of the report information about parental involvement and if the district  
139 has taken measures to improve parental involvement, including, but  
140 not limited to, employment of methods to engage parents in the  
141 planning and improvement of school programs and methods to  
142 increase support to parents working at home with their children on  
143 learning activities. For purposes of this subsection, measures of  
144 truancy include the type of data that is required to be collected by the  
145 Department of Education regarding attendance and unexcused  
146 absences in order for the department to comply with federal reporting  
147 requirements and the actions taken by the local or regional board of  
148 education to reduce truancy in the school district. Such truancy data  
149 shall be considered a public record for purposes of chapter 14.

150 Sec. 5. Subsection (a) of section 10-158a of the general statutes is  
151 repealed and the following is substituted in lieu thereof (*Effective July*

152 1, 2015):

153 (a) Any two or more boards of education may, in writing, agree to  
154 establish cooperative arrangements to provide school accommodations  
155 services, programs or activities, special education services, [or] health  
156 care services or alternative education, as defined in section 1 of this act,  
157 to enable such boards to carry out the duties specified in the general  
158 statutes. Such arrangements may include the establishment of a  
159 committee to supervise such programs, the membership of the  
160 committee to be determined by the agreement of the cooperating  
161 boards. Such committee shall have the power, in accordance with the  
162 terms of the agreement, to (1) apply for, receive directly and expend on  
163 behalf of the school districts which have designated the committee an  
164 agent for such purpose any state or federal grants which may be  
165 allocated to school districts for specified programs, the supervision of  
166 which has been delegated to such committee, provided such grants are  
167 payable before implementation of any such program or are to  
168 reimburse the committee pursuant to subsection (d) of this section for  
169 transportation provided to a school operated by a cooperative  
170 arrangement; (2) receive and disburse funds appropriated to the use of  
171 such committee by the cooperating school districts, the state or the  
172 United States, or given to the committee by individuals or private  
173 corporations; (3) hold title to real or personal property in trust, or as  
174 otherwise agreed to by the parties, for the appointing boards; (4)  
175 employ personnel; (5) enter into contracts; and (6) otherwise provide  
176 the specified programs, services and activities. Teachers employed by  
177 any such committee shall be subject to the provisions of the general  
178 statutes applicable to teachers employed by the board of education of  
179 any town or regional school district. For purposes of this section, the  
180 term "teacher" shall include each professional employee of a committee  
181 below the rank of superintendent who holds a regular certificate  
182 issued by the State Board of Education and who is in a position  
183 requiring such certification.

184 Sec. 6. Subsection (b) of section 10-4p of the general statutes is  
185 repealed and the following is substituted in lieu thereof (*Effective July*

186 1, 2015):

187 (b) Prior to developing the plan, the State Board of Education shall  
188 conduct a state-wide assessment of the disparities among local and  
189 regional school districts and make comparisons to relevant national  
190 standards or regional accreditation standards, in the areas of: (1)  
191 Resources, including educational materials, supplies, equipment,  
192 textbooks, library materials, facilities and expenditures by category  
193 and in total; (2) staff, including the education and experience of  
194 teachers, staff-student ratios, the racial and ethnic characteristics of  
195 staff, minority staff recruitment and a comparison of the racial  
196 diversity of school staffs to the racial diversity of the region where the  
197 school is located; (3) program and curriculum, including course  
198 offerings, requirements, enrollments in advanced, special and  
199 compensatory education, programs and services to students with  
200 limited English proficiency and an analysis of such programs and  
201 services in terms of the recommendations of the bilingual education  
202 task force, policies on student assignment and promotion,  
203 extracurricular activities and student participation, goals and  
204 objectives and content and performance standards, opportunities for  
205 summer school, school-to-career transition, [alternative programs,]  
206 alternative education, as defined in section 1 of this act, alternative  
207 educational opportunities, and parent-student choice of school or  
208 program; (4) student achievement, including the effect of social  
209 promotional policies on student achievement, state and national  
210 assessments, dropout rates, attendance, graduation follow-up data,  
211 artistic, athletic and community service accomplishments, other  
212 documentation of student success, and success in reducing the racial,  
213 ethnic and economic isolation of students; and (5) community  
214 involvement, including parent and family contact with the school and  
215 teachers, business partnerships, joint programs with community  
216 agencies, town-wide preschool coordination, opportunities for adult  
217 basic education and parenting education.

218 Sec. 7. Subsection (c) of section 10-223h of the general statutes is  
219 repealed and the following is substituted in lieu thereof (*Effective July*

220 1, 2015):

221 (c) Following the establishment of a turnaround committee, the  
222 Department of Education shall conduct, in consultation with the local  
223 or regional board of education for a school selected to participate in the  
224 commissioner's network of schools, the school governance council for  
225 such school and such turnaround committee, an operations and  
226 instructional audit, as described in subparagraph (A) of subdivision (2)  
227 of subsection (e) of section 10-223e, for such school. Such operations  
228 and instructional audit shall be conducted pursuant to guidelines  
229 issued by the department and shall determine the extent to which the  
230 school (1) has established a strong family and community connection  
231 to the school; (2) has a positive school environment, as evidenced by a  
232 culture of high expectations, a safe and orderly workplace, and that  
233 address other nonacademic factors that impact student achievement,  
234 such as students' social, emotional, arts, cultural, recreational and  
235 health needs; (3) has effective leadership, as evidenced by the school  
236 principal's performance appraisals, track record in improving student  
237 achievement, ability to lead turnaround efforts, and managerial skills  
238 and authority in the areas of scheduling, staff management,  
239 curriculum implementation and budgeting; (4) has effective teachers  
240 and support staff as evidenced by performance evaluations, policies to  
241 retain staff determined to be effective and who have the ability to be  
242 successful in the turnaround effort, policies to prevent ineffective  
243 teachers from transferring to the schools, and job-embedded, ongoing  
244 professional development informed by the teacher evaluation and  
245 support programs that are tied to teacher and student needs; (5) uses  
246 time effectively as evidenced by the redesign of the school day, week,  
247 or year to include additional time for student learning and teacher  
248 collaboration; (6) has a curriculum and instructional program that is  
249 based on student needs, is research-based, rigorous and aligned with  
250 state academic content standards, and serves all children, including  
251 students at every achievement level; and (7) uses evidence to inform  
252 decision-making and for continuous improvement, including by  
253 providing time for collaboration on the use of data. Such operations  
254 and instructional audit shall be informed by an inventory of the

255 following: (A) Before and after school programs, (B) any school-based  
256 health centers, family resource centers or other community services  
257 offered at the school, including, but not limited to, social services,  
258 mental health services and parenting support programs, (C) whether  
259 scientific research-based interventions are being fully implemented at  
260 the school, (D) resources for scientific research-based interventions  
261 during the school year and summer school programs, (E) resources for  
262 gifted and talented students, (F) the length of the school day and the  
263 school year, (G) summer school programs, (H) [the alternative high  
264 school] alternative education, as defined in section 1 of this act, if any,  
265 [available] offered to students at the school, (I) the number of teachers  
266 employed at the school and the number of teachers who have left the  
267 school in each of the previous three school years, (J) student mobility,  
268 including the number of students who have been enrolled in and left  
269 the school, (K) the number of students whose primary language is not  
270 English, (L) the number of students receiving special education  
271 services, (M) the number of truants, (N) the number of students who  
272 are eligible for free or reduced price lunches, (O) the number of  
273 students who are eligible for HUSKY Plan, Part A, (P) the curricula  
274 used at the school, (Q) the reading curricula and programs for  
275 kindergarten to grade three, inclusive, if any, at the school, (R) arts and  
276 music programs offered at the school, (S) physical education programs  
277 offered and periods for recess or physical activity, (T) the number of  
278 school psychologists at the school and the ratio of school psychologists  
279 to students at the school, (U) the number of social workers at the  
280 school and the ratio of social workers to students at the school, (V) the  
281 teacher and administrator performance evaluation program, including  
282 the frequency of performance evaluations, how such evaluations are  
283 conducted and by whom, the standards for performance ratings and  
284 follow-up and remediation plans and the aggregate results of teacher  
285 performance evaluation ratings conducted pursuant to section 10-151b  
286 and any other available measures of teacher effectiveness, (W)  
287 professional development activities and programs, (X) teacher and  
288 student access to technology inside and outside of the classroom, (Y)  
289 student access to and enrollment in mastery test preparation programs,

290 (Z) the availability of textbooks, learning materials and other supplies,  
291 (AA) student demographics, including race, gender and ethnicity, (BB)  
292 chronic absenteeism, and (CC) preexisting school improvement plans,  
293 for the purpose of (i) determining why such school improvement plans  
294 have not improved student academic performance, and (ii) identifying  
295 governance, legal, operational, staffing or resource constraints that  
296 contributed to the lack of student academic performance at such school  
297 and should be addressed, modified or removed for such school to  
298 improve student academic performance.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2015</i>	New section
Sec. 2	<i>July 1, 2015</i>	New section
Sec. 3	<i>July 1, 2015</i>	10-220(a)
Sec. 4	<i>July 1, 2015</i>	10-220(c)
Sec. 5	<i>July 1, 2015</i>	10-158a(a)
Sec. 6	<i>July 1, 2015</i>	10-4p(b)
Sec. 7	<i>July 1, 2015</i>	10-223h(c)

**ED**            *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

---

**OFA Fiscal Note**

**State Impact:**

<b>Agency Affected</b>	<b>Fund-Effect</b>	<b>FY 16 \$</b>	<b>FY 17 \$</b>
Education, Dept.	GF - Cost	less than 50,000	None

Note: GF=General Fund

**Municipal Impact:**

<b>Municipalities</b>	<b>Effect</b>	<b>FY 16 \$</b>	<b>FY 17 \$</b>
Various Local and Regional School Districts	Potential Cost	See Below	See Below

**Explanation**

The bill results in a cost to the State Department of Education (SDE) of less than \$50,000. The costs are broken into two components: (1) up to \$10,000 for developing guidelines for alternative education, including (a) a description of purpose and expectations, (b) eligibility criteria, and (c) entrance and exit criteria, and (2) up to \$40,000 for developing new strategic school profiles for alternative education programs, as the existing profiles are not able to generate the necessary data. Both of these costs are one time in nature.

The bill also allows local and regional boards of education to provide alternative education to students using space in an existing school or by establishing a new school specifically for alternative education. This could result in a significant cost to local and regional schools districts; however, the bill does not require them to do so.

***The Out Years***

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation, except for the costs that have been identified as one time in nature.

**OLR Bill Analysis****HB 7018*****AN ACT CONCERNING ALTERNATIVE EDUCATION.*****SUMMARY:**

This bill defines the term “alternative education” as a school or program maintained and operated by a local or regional board of education offered to students in a nontraditional setting that addresses their social, emotional, behavioral, and academic needs. It replaces references to “alternative programs,” “alternative school programs,” and “alternative high school” in statute that are currently undefined.

The bill also allows local and regional boards of education to provide alternative education to students using space in an existing school or by establishing a new school specifically for alternative education.

It also makes the following changes:

1. assigns several new duties to local and regional boards of education, the State Department of Education (SDE), and the State Board of Education (SBE) relating to alternative education and
2. allows two or more boards of education to form cooperative arrangements to provide alternative education.

EFFECTIVE DATE: July 1, 2015

**BOARD OF EDUCATION DUTIES**

If a board of education chooses to provide alternative education, it must comply with state laws on the number and length of school days in an academic year and all other federal and state laws governing public schools.

---

Additionally, the bill requires boards of education to:

1. post on their website information about alternative education they may offer, including purpose, location, contact information, staff directory, and enrollment criteria;
2. give all children in the school district who receive alternative education as nearly equal advantages as may be practicable compared with other children in the district; and
3. annually submit a strategic school profile report (see BACKGROUND) for each alternative education school or program under its jurisdiction.

### **SDE DUTIES**

The bill requires SDE to perform the following duties:

1. develop guidelines for alternative education, including (a) a description of purpose and expectations, (b) eligibility criteria, and (c) entrance and exit criteria;
2. assign each alternative education school or program an identification code and organization code for the collection, tracking, and monitoring of alternative education in the public school information system (PSIS) (see BACKGROUND); and
3. perform an operations and instructional audit for any school selected to participate in the commissioner's network (see BACKGROUND) that inventories, among other things, any alternative education that the school may offer to students.

### **SBE DUTIES**

Under the bill, SBE must assess alternative education and alternative education opportunities as part of its statewide assessment of disparities among local and regional school districts. By law, this assessment is required prior to SBE developing a five-year implementation plan with appropriate goals and strategies to (1) achieve resource equity and equality of opportunity; (2) increase

student achievement; (3) reduce racial, ethnic, and economic isolation; (4) improve effective instruction; and (5) encourage greater parental and community involvement in all public schools of the state.

## **BACKGROUND**

### ***Strategic School Profile Reports***

These reports contain school and district information about student needs, school resources, student and school performance, and provision of special education services. By law, local and regional boards of education are responsible for creating and submitting these reports to the education commissioner (CGS § 10-220).

### ***PSIS***

PSIS is a statewide, standardized electronic data collection and reporting system that tracks and reports data relating to student, teacher, school, and district performance growth. This data is available to local and regional boards of education for use in evaluating educational performance and growth of teachers and students enrolled in Connecticut public schools (CGS § 10-10a).

### ***Commissioner's Network***

The commissioner's network is a group of up to 25 schools selected by the education commissioner for three to five years of intensive state assistance, supervision, and intervention (CGS § 10-223h).

## **COMMITTEE ACTION**

Education Committee

Joint Favorable

Yea 33    Nay 0    (03/25/2015)