



House of Representatives

General Assembly

File No. 687

January Session, 2015

Substitute House Bill No. 7024

House of Representatives, April 16, 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 substitute bill ought to pass.

AN ACT CONCERNING MEASURES FOR CALCULATING SCHOOL AND DISTRICT PERFORMANCE AND WAIVERS OF FEDERAL LAW SOUGHT BY THE DEPARTMENT OF EDUCATION.

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

1 Section 1. Subsections (a) and (b) of section 10-223e of the general
2 statutes are repealed and the following is substituted in lieu thereof
3 (*Effective July 1, 2015*):

4 (a) As used in this section:

5 (1) "School performance index" means the weighted sum of the
6 subject performance indices for mathematics, reading, writing and
7 science.

8 (2) "Performance index" means measures of student performance, as
9 weighted by the Department of Education, relating to the mastery test
10 data of record; student academic achievement and growth measured
11 over time; student attendance, absenteeism and discipline; measures of

12 college and career readiness; graduation rates; and enrollment at
13 institutions of higher education and postsecondary education
14 programs.

15 (3) "Mastery test data of record" has the same meaning as provided
16 in section 10-262f, as amended by this act.

17 [(2)] (4) "School subject performance index for mathematics" means
18 the sum of the school mastery test data of record [, as defined in
19 section 10-262f,] for mathematics weighted based on: (A) The
20 percentage of students scoring below basic, (B) the percentage of
21 students scoring at basic, (C) the percentage of students scoring at
22 proficient, (D) the percentage of students scoring at goal, and (E) the
23 percentage of students scoring at advanced, except that the State Board
24 of Education may authorize the use of alternative versions of this
25 formula at grade levels other than elementary grade levels.

26 [(3)] (5) "School subject performance index for reading" means the
27 sum of the school mastery test data of record [, as defined in section
28 10-262f,] for reading weighted based on: (A) The percentage of
29 students scoring below basic, (B) the percentage of students scoring at
30 basic, (C) the percentage of students scoring at proficient, (D) the
31 percentage of students scoring at goal, and (E) the percentage of
32 students scoring at advanced, except that the State Board of Education
33 may authorize the use of alternative versions of this formula at grade
34 levels other than elementary grade levels.

35 [(4)] (6) "School subject performance index for writing" means the
36 sum of the school mastery test data of record [, as defined in section
37 10-262f,] for writing weighted based on: (A) The percentage of
38 students scoring below basic, (B) the percentage of students scoring at
39 basic, (C) the percentage of students scoring at proficient, (D) the
40 percentage of students scoring at goal, and (E) the percentage of
41 students scoring at advanced, except that the State Board of Education
42 may authorize the use of alternative versions of this formula at grade
43 levels other than elementary grade levels.

44 [(5)] (7) "School subject performance index for science" means the
45 sum of the school mastery test data of record [, as defined in section
46 10-262f,] for science weighted based on: (A) The percentage of students
47 scoring below basic, (B) the percentage of students scoring at basic, (C)
48 the percentage of students scoring at proficient, (D) the percentage of
49 students scoring at goal, and (E) the percentage of students scoring at
50 advanced, except that the State Board of Education may authorize the
51 use of alternative versions of this formula at grade levels other than
52 elementary grade levels.

53 [(6)] (8) "Category five schools" means schools with the lowest
54 performance as indicated by factors set forth in the state-wide
55 performance management and support plan, prepared pursuant to
56 subsection (b) of this section, that may include, but are not limited to,
57 the school performance index, change in school performance index
58 over time, growth in student achievement as measured by
59 standardized assessments, and high school graduation and dropout
60 rates for the entire student population and for subgroups of students.

61 [(7)] (9) "Category four schools" means schools with the lowest
62 performance other than category five schools as indicated by factors
63 set forth in the state-wide performance management and support plan,
64 prepared pursuant to subsection (b) of this section, that may include,
65 but are not limited to, the school performance index, change in school
66 performance index over time, growth in student achievement as
67 measured by standardized assessments, and high school graduation
68 and dropout rates for the entire student population and for subgroups
69 of students.

70 [(8)] (10) "Category three schools" means schools with higher
71 performance than category four and five schools, but lower
72 performance than category one and two schools as indicated by factors
73 set forth in the state-wide performance management and support plan,
74 prepared pursuant to subsection (b) of this section, that may include,
75 but are not limited to, the school performance index, change in school
76 performance index over time, growth in student achievement as

77 measured by standardized assessments, and high school graduation
78 and dropout rates for the entire student population and for subgroups
79 of students.

80 [(9)] (11) "Category two schools" means schools that have higher
81 performance than category three, category four and category five
82 schools, but lower performance than category one schools as indicated
83 by factors set forth in the state-wide performance management and
84 support plan, prepared pursuant to subsection (b) of this section, that
85 may include, but are not limited to, the school performance index,
86 change in school performance index over time, growth in student
87 achievement as measured by standardized assessments, and high
88 school graduation and dropout rates for the entire student population
89 and for subgroups of students.

90 [(10)] (12) "Category one schools" means schools that have the
91 highest performance as indicated by factors set forth in the state-wide
92 performance management and support plan, prepared pursuant to
93 subsection (b) of this section, that may include, but are not limited to,
94 the school performance index, change in school performance index
95 over time, growth in student achievement as measured by
96 standardized assessments, and high school graduation and dropout
97 rates for the entire student population and for subgroups of students.

98 [(11)] (13) "Focus schools" means schools that have a low performing
99 subgroup of students using measures of student academic
100 achievement and growth in the aggregate or for such subgroups over
101 time, including any period of time prior to July 1, 2014.

102 (b) (1) For the school years commencing July 1, 2002, to July 1, 2011,
103 inclusive, in conformance with the No Child Left Behind Act, P.L. 107-
104 110, the Commissioner of Education shall prepare a state-wide
105 education accountability plan, consistent with federal law and
106 regulation. Such plan shall identify the schools and districts in need of
107 improvement, require the development and implementation of
108 improvement plans and utilize rewards and consequences.

109 (2) For the school [year] years commencing July 1, 2012, [and each
110 school year thereafter] to July 1, 2015, inclusive, the Department of
111 Education shall prepare a state-wide performance management and
112 support plan, consistent with federal law and regulation. Such plan
113 shall (A) identify districts in need of improvement, (B) classify schools
114 as category one, two, three, four or five schools based on their school
115 performance index and other factors, and (C) identify focus schools.

116 (3) For the school year commencing July 1, 2016, and each school
117 year thereafter, the Department of Education shall prepare a state-wide
118 performance management and support plan, consistent with federal
119 law and regulation. Such plan shall (A) identify districts in need of
120 improvement, (B) classify schools as category one, two, three, four or
121 five schools based on their performance index and other factors, and
122 (C) identify focus schools.

123 Sec. 2. Subsection (a) of section 10-262u of the general statutes is
124 repealed and the following is substituted in lieu thereof (*Effective July*
125 *1, 2015*):

126 (a) As used in this section and section 10-262i:

127 (1) "Alliance district" means a school district that is in a town that is
128 among the towns with the lowest district performance indices.

129 (2) "District performance index" means the sum of the district
130 subject performance indices for mathematics, reading, writing and
131 science.

132 (3) "Performance index" has the same meaning as provided in
133 section 10-223e, as amended by this act.

134 (4) "Mastery test data of record" has the same meaning as provided
135 in section 10-262f, as amended by this act.

136 [(3)] (5) "District subject performance index for mathematics" means
137 thirty per cent multiplied by the sum of the mastery test data of record
138 [, as defined in section 10-262f,] for a district for mathematics weighted

139 as follows: (A) Zero for the percentage of students scoring below basic,
140 (B) twenty-five per cent for the percentage of students scoring at basic,
141 (C) fifty per cent for the percentage of students scoring at proficient,
142 (D) seventy-five per cent for the percentage of students scoring at goal,
143 and (E) one hundred per cent for the percentage of students scoring at
144 advanced.

145 [(4)] (6) "District subject performance index for reading" means
146 thirty per cent multiplied by the sum of the mastery test data of record
147 [, as defined in section 10-262f,] for a district for reading weighted as
148 follows: (A) Zero for the percentage of students scoring below basic,
149 (B) twenty-five per cent for the percentage of students scoring at basic,
150 (C) fifty per cent for the percentage of students scoring at proficient,
151 (D) seventy-five per cent for the percentage of students scoring at goal,
152 and (E) one hundred per cent for the percentage of students scoring at
153 advanced.

154 [(5)] (7) "District subject performance index for writing" means
155 thirty per cent multiplied by the sum of the mastery test data of record
156 [, as defined in section 10-262f,] for a district for writing weighted as
157 follows: (A) Zero for the percentage of students scoring below basic,
158 (B) twenty-five per cent for the percentage of students scoring at basic,
159 (C) fifty per cent for the percentage of students scoring at proficient,
160 (D) seventy-five per cent for the percentage of students scoring at goal,
161 and (E) one hundred per cent for the percentage of students scoring at
162 advanced.

163 [(6)] (8) "District subject performance index for science" means ten
164 per cent multiplied by the sum of the mastery test data of record [, as
165 defined in section 10-262f,] for a district for science weighted as
166 follows: (A) Zero for the percentage of students scoring below basic,
167 (B) twenty-five per cent for the percentage of students scoring at basic,
168 (C) fifty per cent for the percentage of students scoring at proficient,
169 (D) seventy-five per cent for the percentage of students scoring at goal,
170 and (E) one hundred per cent for the percentage of students scoring at
171 advanced.

172 [(7)] (9) "Educational reform district" means a school district that is
173 in a town that is among the ten lowest district performance indices
174 when all towns are ranked highest to lowest in district performance
175 indices scores.

176 Sec. 3. Subdivision (16) of section 10-262f of the general statutes is
177 repealed and the following is substituted in lieu thereof (*Effective July*
178 *1, 2015*):

179 (16) "Mastery test data of record" means for the school year
180 commencing July 1, 2013, and each school year thereafter, the data of
181 record [on the December thirty-first] subsequent to the administration
182 of the mastery examinations pursuant to subsection (b) of section 10-
183 14n, [or such data] as adjusted by the Department of Education
184 pursuant to a request by a local or regional board of education [for an
185 adjustment of the mastery test data from such examination] filed with
186 the department not later than the [November] August thirtieth
187 following the administration of such examination.

188 Sec. 4. (*Effective July 1, 2015*) Not later than January 1, 2016, the
189 Department of Education shall submit a report to the joint standing
190 committee of the General Assembly having cognizance of matters
191 relating to education, in accordance with the provisions of section 11-
192 4a of the general statutes, explaining and comparing the formulas and
193 scores of the school performance index, as defined in section 10-223e of
194 the general statutes, as amended by this act, the district performance
195 index, as defined in section 10-262u of the general statutes, as amended
196 by this act, and the performance index, as defined in section 10-223e of
197 the general statutes, as amended by this act. Such report shall include,
198 but need not be limited to, (1) an explanation of the formula for the
199 school performance index, district performance index and
200 performance index; (2) the categories of the data used in the
201 computation of the school performance index, district performance
202 index and performance index; (3) an explanation of how such data is
203 weighted in the school performance index, district performance index
204 and performance index; (4) the school performance index, district

205 performance index and performance index scores for each school
206 district; (5) a comparison of such scores; and (6) an explanation for
207 why the scores for the performance index are different from the scores
208 for the school performance index and district performance index.

209 Sec. 5. (NEW) (*Effective from passage*) (a) On and after the effective
210 date of this section, the Commissioner of Education shall submit any
211 application for a federal waiver of the Elementary and Secondary
212 Education Act of 1965, 20 USC 6301, et seq., as amended from time to
213 time, to the joint standing committee of the General Assembly having
214 cognizance of matters relating to education prior to the submission of
215 any such application to the federal government. Not later than thirty
216 days after the date of its receipt of such application, said joint standing
217 committee shall hold a public hearing on the waiver application. At the
218 conclusion of a public hearing held in accordance with the provisions
219 of this section, said joint standing committee shall advise the
220 commissioner of its approval, denial or modifications, if any, of the
221 commissioner's waiver application. If said joint standing committee
222 advises the commissioner of its denial of the commissioner's waiver
223 application, the commissioner shall not submit the application for a
224 federal waiver to the federal government. If said joint standing
225 committee does not so advise the commissioner during the thirty-day
226 period, the waiver application shall be deemed approved. Any
227 application for a federal waiver submitted to the federal government
228 by the commissioner, pursuant to this section, shall be in accordance
229 with the approval or modifications, if any, of said joint standing
230 committee.

231 (b) If in developing the budget for the Department of Education for
232 the next fiscal year, the commissioner contemplates applying for a
233 federal waiver to the federal government, the commissioner shall
234 notify the joint standing committee of the General Assembly having
235 cognizance of matters relating to education of the possibility of such
236 application.

237 (c) Prior to submission of an application for a waiver from said

238 Elementary and Secondary Education Act of 1965 to the joint standing
239 committee of the General Assembly having cognizance of matters
240 relating to education under subsection (a) of this section, the
241 commissioner shall publish a notice that the commissioner intends to
242 seek such a waiver to the federal government in the Connecticut Law
243 Journal, along with a summary of the provisions of the waiver
244 application and the manner in which individuals may submit
245 comments. The commissioner shall allow fifteen days for written
246 comments on the waiver application prior to submission of the
247 application for a waiver to the joint standing committee of the General
248 Assembly having cognizance of matters relating to education under
249 subsection (a) of this section and shall include all written comments
250 with the waiver application submitted to said joint standing
251 committee.

252 (d) The commissioner shall include with any waiver application
253 submitted to the federal government pursuant to this section: (1) Any
254 written comments received pursuant to subsection (c) of this section;
255 and (2) a complete transcript of the proceedings of the joint standing
256 committee of the General Assembly having cognizance of matters
257 relating to education held pursuant to subsection (a) of this section,
258 including any additional written comments submitted to said joint
259 standing committee at such proceedings. Said joint standing committee
260 shall transmit any such materials to the commissioner for inclusion
261 with any such waiver application.

262 Sec. 6. Subdivision (2) of subsection (j) of section 10-66bb of the
263 general statutes is repealed and the following is substituted in lieu
264 thereof (*Effective July 1, 2015*):

265 (2) [An] (A) For the school years commencing July 1, 2012, to July 1,
266 2015, inclusive, an enrollment lottery described in subdivision (8) of
267 subsection (d) of this section shall not be held for a local charter school
268 that is established at a school that is among the schools with a
269 percentage equal to or less than five per cent when all schools are
270 ranked highest to lowest in school performance index scores, as

271 defined in section 10-223e, as amended by this act.

272 (B) For the school year commencing July 1, 2016, and each school
273 year thereafter, an enrollment lottery described in subdivision (8) of
274 subsection (d) of this section shall not be held for a local charter school
275 that is established at a school that is among the schools with a
276 percentage equal to or less than five per cent when all schools are
277 ranked highest to lowest in performance index scores, as defined in
278 section 10-223e, as amended by this act.

279 Sec. 7. Subdivisions (1) and (2) of subsection (j) of section 10-223h of
280 the general statutes are repealed and the following is substituted in
281 lieu thereof (*Effective July 1, 2015*):

282 (j) (1) The Commissioner of Education shall annually submit a
283 report on the academic performance of each school participating in the
284 commissioner's network of schools to the joint standing committee of
285 the General Assembly having cognizance of matters relating to
286 education, in accordance with the provisions of section 11-4a. Such
287 report shall include, but not be limited to, (A) (i) for the school years
288 commencing July 1, 2012, to July 1, 2015, inclusive, (I) the school
289 performance index score, as defined in section 10-223e, as amended by
290 this act, for such school, [(B)] and (II) trends for the school performance
291 index scores during the period that such school is participating in the
292 commissioner's network of schools, [(C)] (ii) for the school year
293 commencing July 1, 2016, and each school year thereafter, (I) the
294 performance index score, as defined in section 10-223e, as amended by
295 this act, for such school, and (II) trends for the performance index
296 scores during the period that such school is participating in the
297 commissioner's network of schools, (B) adjustments for subgroups of
298 students at such school, including, but not limited to, students whose
299 primary language is not English, students receiving special education
300 services and students who are eligible for free or reduced price
301 lunches, and [(D)] (C) performance evaluation results in the aggregate
302 for teachers and administrators at such school.

303 (2) The Commissioner of Education shall annually submit a report

304 comparing and analyzing the academic performance of all the schools
305 participating in the commissioner's network of schools to the joint
306 standing committee of the General Assembly having cognizance of
307 matters relating to education, in accordance with the provisions of
308 section 11-4a. Such report shall include, but not be limited to, (A) (i) for
309 the school years commencing July 1, 2012, to July 1, 2015, inclusive, the
310 school performance index [scores] score, as defined in section 10-223e,
311 as amended by this act, for the school, and (ii) for the school year
312 commencing July 1, 2016, and each school year thereafter, the
313 performance index score, as defined in section 10-223e, as amended by
314 this act, (B) trends for the school performance indices or performance
315 indices, as the case may be, during the period that such schools are
316 participating in the commissioner's network of schools, (C)
317 adjustments for subgroups of students at such schools, including, but
318 not limited to, students whose primary language is not English,
319 students receiving special education services and students who are
320 eligible for free or reduced price lunches, and (D) performance
321 evaluation results in the aggregate for teachers and administrators at
322 such schools.

323 Sec. 8. Section 10-223k of the general statutes is repealed and the
324 following is substituted in lieu thereof (*Effective July 1, 2015*):

325 The Department of Education shall annually publish and make
326 available on the department's Internet web site (1) the state-wide
327 performance management and support plan, as described in
328 subsection (b) of section 10-223e, as amended by this act, (2) for the
329 school years commencing July 1, 2012, to July 1, 2015, inclusive, (A) a
330 list of schools ranked highest to lowest in school performance index
331 scores, [(3)] as defined in section 10-223e, as amended by this act, and
332 (B) the formula and manner in which the school performance index
333 was calculated for each school, (3) for the school year commencing July
334 1, 2016, and each school year thereafter, (A) a list of schools ranked
335 highest to lowest in performance index scores, as defined in section 10-
336 223e, as amended by this act, and (B) the formula and manner in which
337 the performance index was calculated for each school, and (4) the

338 alternative versions of the formula used to calculate the school subject
339 performance indices at grade levels other than elementary grade
340 levels.

341 Sec. 9. Subsection (a) of section 10-223f of the general statutes is
342 repealed and the following is substituted in lieu thereof (*Effective July*
343 *1, 2015*):

344 (a) (1) For the school [year] years commencing July 1, 2013, [and
345 each school year thereafter] to July 1, 2015, inclusive, the Department
346 of Education shall calculate the district performance index, as defined
347 in section 10-262u, as amended by this act, for an alliance district, as
348 defined in [said] section 10-262u, as amended by this act, with data
349 from each school under the jurisdiction of the board of education for
350 such alliance district and data from any state or local charter school, as
351 defined in section 10-66aa, located in such alliance district, provided
352 the local board of education for such alliance district and the state or
353 local charter school reach mutual agreement for the inclusion of the
354 data from the state or local charter schools and the terms of such
355 agreement are approved by the State Board of Education.

356 (2) For the school year commencing July 1, 2016, and each school
357 year thereafter, the Department of Education shall calculate the
358 performance index, as defined in section 10-223e, as amended by this
359 act, for an alliance district, as defined in section 10-262u, as amended
360 by this act, with data from each school under the jurisdiction of the
361 board of education for such alliance district and data from any state or
362 local charter school, as defined in section 10-66aa, located in such
363 alliance district, provided the local board of education for such alliance
364 district and the state or local charter school reach mutual agreement
365 for the inclusion of the data from the state or local charter schools and
366 the terms of such agreement are approved by the State Board of
367 Education.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>July 1, 2015</i>	10-223e(a) and (b)
Sec. 2	<i>July 1, 2015</i>	10-262u(a)
Sec. 3	<i>July 1, 2015</i>	10-262f(16)
Sec. 4	<i>July 1, 2015</i>	New section
Sec. 5	<i>from passage</i>	New section
Sec. 6	<i>July 1, 2015</i>	10-66bb(j)(2)
Sec. 7	<i>July 1, 2015</i>	10-223h(j)(1) and (2)
Sec. 8	<i>July 1, 2015</i>	10-223k
Sec. 9	<i>July 1, 2015</i>	10-223f(a)

Statement of Legislative Commissioners:

In Sections 1 and 2, references to "as defined in section 10-262f" were bracketed or deleted and a definition of "mastery test data of record" was added for clarity, in Section 4 the effective date was changed to July 1, 2015, for consistency, and in Section 7(j)(1) designator references were changed for clarity.

ED *Joint Favorable Subst.*

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:

Agency Affected	Fund-Effect	FY 16 \$	FY 17 \$
Education, Dept.	FF - See Below	See Below	See Below

Note: FF=Federal Funds

Municipal Impact:

Municipalities	Effect	FY 16 \$	FY 17 \$
Various Local and Regional School Districts	See Below	See Below	See Below

Explanation

The bill could result in a fiscal impact to local and regional school districts associated with changing how the State Department of Education (SDE) must calculate school or district performance, beginning in FY 17. To the extent the new performance index (PI) changes a local or regional school district's score, it could impact funding received on the basis of such score. As the bill does not specify how the PI should be calculated, the specific impact to schools cannot be determined.

The bill could also impact local charter schools associated with preventing them from holding an enrollment lottery if a school is among the bottom 5% of schools when ranked under the new performance index (PI).

The bill also makes changes to SDE's process prior to submitting the federal Elementary and Secondary Education Act (ESEA) waiver application, including submitting such application to the General Assembly for approval. Should the General Assembly delay or prevent the waiver from being submitted to the federal government, it could

result in the delay or total loss of federal funds, specifically Title I funding.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**sHB 7024*****AN ACT CONCERNING MEASURES FOR CALCULATING SCHOOL AND DISTRICT PERFORMANCE AND WAIVERS OF FEDERAL LAW SOUGHT BY THE DEPARTMENT OF EDUCATION.*****SUMMARY:**

This bill creates alternative measures for the State Department of Education (SDE) to use when calculating school or district performance. Under current law, these calculations are based on the weighted sum of a school's statewide mastery test scores for specific subject areas, known as a "school performance index" (SPI) and "district performance index" (DPI). Beginning with the 2016-17 school year, the bill replaces SPI and DPI calculations with new measures known collectively as a "performance index" (PI).

The bill does not identify a formula for using PI measures to calculate school performance. Instead, it requires SDE to report to the Education Committee by January 1, 2016 to explain and compare the formulas and scores of the SPI, DPI, and PI.

The bill requires SDE to revise several of its required performance calculations and reports to reflect the shift from using SPI and DPI to PI beginning in the 2016-17 school year. It also prohibits local charter schools from holding an enrollment lottery if, beginning with the 2016-17 school year, the school is among the bottom 5% of schools when ranked highest to lowest in PI, rather than SPI, scores.

Additionally, the bill requires the education commissioner to comply with various new procedures prior to submitting to the federal government an application for a waiver from Elementary and Secondary Education Act (ESEA) requirements (see BACKGROUND).

It also redefines the term "mastery test data of record" and makes

various technical and conforming changes.

EFFECTIVE DATE: July 1, 2015, except the provisions about ESEA waivers take effect on passage.

ALTERNATIVE MEASURES OF CALCULATING SCHOOL AND DISTRICT PERFORMANCE

Under current law, the State Department of Education (SDE) calculates school and district performance using SPI and DPI, respectively. These indices measure performance by calculating the weighted sum of statewide mastery test scores for mathematics, reading, writing, and science. The bill replaces these indices with PI to measure school and district performance beginning with the 2016-17 school year.

Performance Index

PI measures refer to the following data categories:

1. measures of student performance, as weighted by SDE, using statewide mastery test data of record;
2. student academic achievement and growth measured over time;
3. student attendance, absenteeism, and discipline;
4. measures of college and career readiness;
5. graduation rates; and
6. enrollment at institutions of higher education and postsecondary education programs.

The bill does not specify how these measures will be used to calculate a PI score for schools or districts.

Explanatory Report

The bill requires SDE to report to the Education Committee by January 1, 2016 to explain and compare the formulas and scores for SPI, DPI, and PI. The report must include:

1. an explanation of all three indices,
2. data categories used to compute these indices,
3. an explanation of how data is weighted in these indices,
4. the three index scores for each school district and a comparison of these scores, and
5. an explanation of why the scores for PI are different from the scores for SPI and DPI.

SDE PERFORMANCE CALCULATIONS AND REPORTING REQUIREMENTS

The bill requires SDE to make adjustments during the 2016-17 school year to the following plans, reports, and calculations required under state law as a result of the bill's new PI measures: (1) the statewide performance management and support plan, (2) the commissioner's network reports, and (3) alliance district performance calculations.

Statewide Performance Management and Support Plan

Current law has required SDE to annually prepare, since the 2012-13 school year, an annual statewide performance management and support plan to (1) classify districts in needs of improvement, (2) classify schools into one of five categories based on their SPI, and (3) identify "focus schools" with a low-performing subgroup of students. Beginning with the 2016-17 school year, the bill requires SDE to prepare this annual report with the same content, except the report must classify schools into five categories based on their PI, rather than their SPI.

Additionally, the bill requires SDE to make corresponding changes to its annual publishing and posting of the plan on its website. Current law requires the department to publish and post a list of schools ranked highest to lowest in SPI scores. Beginning with the 2016-17 school year, it must publish and post a (1) list of schools ranked highest to lowest in PI scores and (2) description of the formula

and manner in which each school's PI was calculated.

Commissioner's Network Reports

By law, the education commissioner must annually report to the Education Committee on (1) the academic performance of each school participating in the commissioner's network (see BACKGROUND) and (2) a comparison and analysis of all the schools participating in the network.

For each report, current law requires the commissioner to include the SPI for each school. Beginning with the 2016-17 school year, the bill requires her, for the first report, to include (1) each school's PI, rather than SPI, score and (2) trends for PI scores during the period that the school is participating in the network.

Beginning with the 2016-17 school year, the bill requires her, for the second report, to include (1) each school's PI, rather than SPI, score and (2) trends for SPI or PI scores, as the case may be, during the period that the schools are participating in the network.

Alliance District Performance

Under current law, SDE must calculate the DPI for each alliance district. An alliance district is a school district that is among the 30 lowest academic performers in the state. Beginning with the 2016-17 school year, the bill requires SDE to calculate alliance district PI instead. The bill continues to allow SDE, as under existing law, to use data in the calculation from (1) each school under the jurisdiction of the alliance district board of education and (2) any state or local charter school located in the alliance district, as long as the board of education and charter school agree to do so.

ESEA WAIVER PROCEDURES

The bill requires the education commissioner to comply with the following procedures prior to submitting an ESEA waiver application to the federal government: (1) notice and comment periods, (2) a legislative hearing and committee approval process, and (3) inclusion of additional materials in the application package.

Notice and Comment

The bill requires the education commissioner to comply with two notice provisions. First, if the commissioner is considering applying for a federal ESEA waiver when developing the agency budget for the upcoming fiscal year, the bill requires her to notify the Education Committee about this possibility. Secondly, if the commissioner intends to seek an ESEA waiver, she must publish a notice of this in the Connecticut Law Journal, along with a (1) summary of the waiver provisions and (2) a description of the comment submission process.

The bill also requires the commissioner to allow for a 15-day written comment period prior to submitting the waiver application to the Education Committee. Once the comment period concludes, the commissioner must include all written comments when she submits the waiver application to the committee for approval.

Legislative Committee Hearing and Approval

Under the bill, the education commissioner must submit any ESEA waiver application to the Education Committee before submitting it to the federal government. Within 30 days of receiving the application, the committee must hold a public hearing on the application and subsequently inform the commissioner whether it approves, denies, or modifies the application. Should the committee remain silent during this 30-day period, the application is deemed approved.

If the committee approves or modifies the application, the commissioner must submit the application to the federal government in its approved or modified form. If the committee denies the application, the commissioner must not submit it to the federal government.

Application Contents

Under the bill, the education commissioner must submit the following materials to the federal government along with the ESEA waiver application: (1) any written comments received during the 15-day comment period and (2) a complete transcript of the legislative

hearing proceedings on the waiver application and any additional written comments received by the committee during the hearing. The bill requires the committee to send such materials to the education commissioner for inclusion with the application.

MASTERY TEST DATA OF RECORD

The bill redefines the term “mastery test data of record” to refer to the mastery test data available after the annual statewide mastery tests are administered. It removes the restriction that the term refers only to data available after December 31 following the exam administration.

In the bill, and unchanged by current law, a local or regional board of education may request that SDE adjust its mastery test data of record. However, the bill shortens the timeframe by which the board may make this request from November 30 after the test administration to August 30.

BACKGROUND

ESEA Waivers

In 2012, the federal government began offering flexibility waivers to states from specific requirements of the reauthorized version of ESEA (i.e., No Child Left Behind) in exchange for comprehensive, state-developed plans designed to close achievement gaps and increase academic outcomes for all students.

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 Substitute

Yea 32 Nay 0 (03/27/2015)