



General Assembly

**Substitute Bill No. 5550**

February Session, 2016

\* \_\_\_\_\_HB05550ED\_\_\_\_\_032116\_\_\_\_\_\*

**AN ACT CONCERNING VARIOUS REVISIONS AND ADDITIONS TO  
THE EDUCATION STATUTES.**

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

1 Section 1. Section 10-14n of the 2016 supplement to the general  
2 statutes is repealed and the following is substituted in lieu thereof  
3 (*Effective from passage*):

4 (a) As used in this section, "mastery examination" means (1) for  
5 students enrolled in grades three to eight, inclusive, an examination or  
6 examinations, approved by the State Board of Education, that  
7 measures essential and grade-appropriate skills in reading, writing or  
8 mathematics, (2) for students enrolled in grades five, eight and ten, an  
9 examination, approved by the State Board of Education, that measures  
10 essential and grade-appropriate skills in science, and (3) for students  
11 enrolled in grade eleven, a nationally recognized college readiness  
12 assessment, approved by the State Board of Education, that measures  
13 essential and grade-appropriate skills in reading, writing and  
14 mathematics.

15 (b) (1) For the school year commencing July 1, 2015, and each school  
16 year thereafter, each student enrolled in grades three to eight,  
17 inclusive, and grade eleven in any public school shall, annually, take a  
18 mastery examination in reading, writing and mathematics during the

19 regular school day.

20 (2) For the school year commencing July 1, 2013, and each school  
21 year thereafter, each student enrolled in grades five, eight and ten in  
22 any public school shall, annually, in March or April, take a state-wide  
23 mastery examination in science during the regular school day.

24 (c) (1) Mastery examinations, as defined in subdivision (1) of  
25 subsection (a) of this section, given to students enrolled in grades three  
26 to eight, inclusive, pursuant to subdivision (1) of subsection (b) of this  
27 section, shall be provided by and administered under the supervision  
28 of the State Board of Education.

29 (2) Mastery examinations, as defined in subdivision (2) of subsection  
30 (a) of this section, given to students enrolled in grades five, eight and  
31 ten, pursuant to subdivision (2) of subsection (b) of this section, shall  
32 be provided by and administered under the supervision of the State  
33 Board of Education.

34 (3) Mastery examinations, as defined in subdivision (3) of subsection  
35 (a) of this section, given to students enrolled in grade eleven, pursuant  
36 to subdivision (1) of subsection (b) of this section, shall be paid for by  
37 the State Board of Education and administered by the provider of such  
38 nationally recognized college readiness assessment in accordance with  
39 the provisions of the agreement between the state board and such  
40 provider, pursuant to section 10-14x.

41 (d) The scores on each component of the mastery examination, as  
42 defined in subdivision (3) of subsection (a) of this section, for each  
43 eleventh grade student may be included on the permanent record and  
44 transcript of each such student who takes such examination. For each  
45 eleventh grade student who meets or exceeds the state-wide mastery  
46 goal level on any component of the mastery examination, a  
47 certification of having met or exceeded such goal level shall be made  
48 on the permanent record and the transcript of each such student and  
49 such student shall be issued a certificate of mastery for such

50 component.

51 (e) No public school may require achievement of a satisfactory score  
52 on a mastery examination, or any subsequent retest on a component of  
53 such examination as the sole criterion of promotion or graduation.

54 (f) (1) For the school year commencing July 1, 2015, and each school  
55 year thereafter, the scores on each component of the mastery  
56 examination for students who are English language learners, as  
57 defined in section 10-76kk, and who have been enrolled in a school in  
58 this state or another state for fewer than twenty school months, shall  
59 not be used for purposes of calculating the [school performance index,  
60 pursuant to section 10-223e, or the district performance index,  
61 pursuant to section 10-262u] accountability index, as defined in section  
62 10-223e, for a school or school district.

63 (2) For the school year commencing July 1, 2015, and each school  
64 year thereafter, mastery examinations pursuant to subsection (b) of  
65 this section shall be offered in the most common native language of  
66 students who are English language learners taking such mastery  
67 examinations and any additional native languages of such students  
68 when mastery examinations in such native languages are developed  
69 and have been approved by the United States Department of  
70 Education.

71 (g) Not later than August fifteenth of each school year, the  
72 Department of Education shall notify each local and regional board of  
73 education of the scores of students under the jurisdiction of the board  
74 on the mastery examination administered during the previous school  
75 year.

76 Sec. 2. Subsection (g) of section 10-145b of the 2016 supplement to  
77 the general statutes is repealed and the following is substituted in lieu  
78 thereof (*Effective July 1, 2016*):

79 (g) On or after July 1, 1989, and prior to July 1, [2016] 2018, to  
80 qualify for a professional educator certificate, a person who holds or

81 has held a provisional educator certificate under subsection (e) of this  
82 section shall have completed thirty credit hours of course work beyond  
83 the baccalaureate degree. It is not necessary that such course work be  
84 taken for a master's degree and such work may include graduate or  
85 undergraduate courses. On and after July 1, [2016] 2018, to qualify for  
86 a professional educator certificate, a person who holds or has held a  
87 provisional educator certificate under subsection (d) of this section  
88 shall hold a master's degree in an appropriate subject matter area, as  
89 determined by the State Board of Education, related to such teacher's  
90 certification endorsement area.

91 Sec. 3. Subdivision (7) of section 10-144o of the 2016 supplement to  
92 the general statutes is repealed and the following is substituted in lieu  
93 thereof (*Effective July 1, 2016*):

94 (7) "Professional educator certificate" means a license to teach issued  
95 on or after July 1, 1989, initially to a person who has successfully  
96 completed not less than three school years of teaching in a public  
97 school or nonpublic school approved by the State Board of Education  
98 while holding a provisional educator or provisional teaching certificate  
99 and prior to July 1, [2016] 2018, has successfully completed not fewer  
100 than thirty semester hours of credit beyond a bachelor's degree, and on  
101 and after July 1, [2016] 2018, holds a master's degree in an appropriate  
102 subject matter area, as determined by the State Board of Education,  
103 related to such person's certification endorsement area. Said certificate  
104 shall be continued every five years after issuance;

105 Sec. 4. Subdivision (2) of subsection (a) of section 10-198c of the 2016  
106 supplement to the general statutes is repealed and the following is  
107 substituted in lieu thereof (*Effective July 1, 2016*):

108 (2) "Absence" means [(A)] an excused absence, unexcused absence  
109 or disciplinary absence, as those terms are defined by the State Board  
110 of Education pursuant to section 10-198b; [, or (B) an in-school  
111 suspension, as defined in section 10-233a, that is greater than or equal  
112 to one-half of a school day;]

113 Sec. 5. Subsection (j) of section 10-223h of the 2016 supplement to  
114 the general statutes is repealed and the following is substituted in lieu  
115 thereof (*Effective July 1, 2016*):

116 (j) (1) [The] Not later than September 15, 2016, and annually  
117 thereafter, the Commissioner of Education shall [annually] submit a  
118 report on the academic performance of each school participating in the  
119 commissioner's network of schools to the joint standing committee of  
120 the General Assembly having cognizance of matters relating to  
121 education, in accordance with the provisions of section 11-4a. Such  
122 report shall include, but not be limited to, (A) the accountability index  
123 score, as defined in section 10-223e, for such school, (B) trends for the  
124 accountability index scores during the period that such school is  
125 participating in the commissioner's network of schools, (C)  
126 adjustments for subgroups of students at such school, including, but  
127 not limited to, students whose primary language is not English,  
128 students receiving special education services and students who are  
129 eligible for free or reduced price lunches, and (D) performance  
130 evaluation results in the aggregate for teachers and administrators at  
131 such school.

132 (2) [The] Not later than September 15, 2016, and annually thereafter,  
133 the Commissioner of Education shall [annually] submit a report  
134 comparing and analyzing the academic performance of all the schools  
135 participating in the commissioner's network of schools to the joint  
136 standing committee of the General Assembly having cognizance of  
137 matters relating to education, in accordance with the provisions of  
138 section 11-4a. Such report shall include, but not be limited to, (A) the  
139 accountability index score, as defined in section 10-223e, for the school,  
140 (B) trends for the accountability indices during the period that such  
141 schools are participating in the commissioner's network of schools, (C)  
142 adjustments for subgroups of students at such schools, including, but  
143 not limited to, students whose primary language is not English,  
144 students receiving special education services and students who are  
145 eligible for free or reduced price lunches, and (D) performance

146 evaluation results in the aggregate for teachers and administrators at  
147 such schools.

148 (3) [Following] Not later than September fifteenth following the  
149 expiration of the turnaround plan for each school participating in the  
150 commissioner's network of schools, the commissioner shall submit a  
151 final report that (A) evaluates such turnaround plan and the academic  
152 performance of such school during the period that such turnaround  
153 plan was in effect, and (B) makes recommendations for the operation  
154 of such school to the joint standing committee of the General Assembly  
155 having cognizance of matters relating to education, in accordance with  
156 the provisions of section 11-4a.

157 (4) Not later than January 1, 2020, the commissioner shall submit a  
158 report (A) evaluating the commissioner's network of schools and its  
159 effect on improving student academic achievement in participating  
160 schools, and (B) making any recommendations for the continued  
161 operation of the commissioner's network of schools to the joint  
162 standing committee of the General Assembly having cognizance of  
163 matters relating to education, in accordance with the provisions of  
164 section 11-4a.

165 (5) Not later than September thirtieth each year, the joint standing  
166 committee of the General Assembly having cognizance of matters  
167 relating to education shall meet with the Commissioner of Education  
168 and any other persons they deem appropriate to consider the items  
169 submitted pursuant to subdivisions (1) to (4), inclusive, of this  
170 subsection.

171 Sec. 6. Subsection (a) of section 10-214 of the 2016 supplement to the  
172 general statutes is repealed and the following is substituted in lieu  
173 thereof (*Effective July 1, 2016*):

174 (a) Each local or regional board of education shall provide annually  
175 to each pupil in kindergarten and grades one and three to five,  
176 inclusive, a vision screening, using a Snellen chart, or equivalent

177 screening. The superintendent of schools shall give written notice to  
178 the parent or guardian of each pupil (1) who is found to have any  
179 defect of vision or disease of the eyes, with a brief statement describing  
180 such defect or disease and a recommendation for the pupil to be  
181 examined by an optometrist licensed under chapter 380 or an  
182 ophthalmologist licensed under chapter 370, and (2) who did not  
183 receive such vision screening, with a brief statement explaining why  
184 such pupil did not receive such vision screening.

185 Sec. 7. Subsection (c) of section 10-91g of the 2016 supplement to the  
186 general statutes is repealed and the following is substituted in lieu  
187 thereof (*Effective from passage*):

188 (c) The Auditors of Public Accounts shall conduct the audit  
189 described in subsection (b) of this section as follows: (1) [At least once  
190 for each private provider] Using a risk-based approach, audits of  
191 private providers of special education services [during a period of  
192 seven years] will occur at a frequency the Auditors of Public Accounts  
193 deem necessary, except that no private provider of special education  
194 services shall have its records and accounts so examined more than  
195 once during such five-year period, unless the auditors have found a  
196 problem with the records and accounts of such private provider of  
197 special education services during such five-year period; (2) as practical,  
198 [approximately half of such] audits conducted in a year shall be of  
199 private providers of special education services approved by the  
200 Department of Education and [approximately half of such audits  
201 conducted in such year shall be] of private providers of special  
202 education services not approved by the Department of Education; and  
203 (3) priority of conducting such audits, as practical, shall be given to  
204 those private providers of special education services (A) that receive  
205 the greatest total amount of state or local funds for the provision of  
206 special education services to students, (B) that provide special  
207 education services to the highest number of students for whom an  
208 individual services plan has been written by a local or regional board  
209 of education, and (C) that have a highest proportion of state and local

210 funds for the provision of special education services in relation to their  
211 total operational expenses.

212 Sec. 8. Section 10-91h of the 2016 supplement to the general statutes  
213 is repealed and the following is substituted in lieu thereof (*Effective*  
214 *from passage*):

215 Each local and regional board of education shall annually provide to  
216 the Auditors of Public Accounts (1) the number of students under the  
217 jurisdiction of such board of education who receive special education  
218 and related services from a private provider of special education  
219 services, as defined in section 10-91g, as amended by this act, [and] (2)  
220 the amount of money paid to such private providers of special  
221 education services by the board during the previous fiscal year, and (3)  
222 any other information the Auditors of Public Accounts deem necessary  
223 to conduct an audit of such private providers of special education  
224 services pursuant to section 10-91g, as amended by this act.

225 Sec. 9. Subsection (i) of section 2-90 of the 2016 supplement to the  
226 general statutes is repealed and the following is substituted in lieu  
227 thereof (*Effective from passage*):

228 (i) Said auditors shall audit, in accordance with the provisions of  
229 section 10-91g, as amended by this act, the records and accounts of any  
230 private provider of special education services, as defined in said  
231 section. Any private provider of special education services being  
232 audited by said auditors shall provide any information said auditors  
233 deem necessary to conduct such audit.

234 Sec. 10. Subsection (a) of section 10-16nn of the general statutes is  
235 repealed and the following is substituted in lieu thereof (*Effective from*  
236 *passage*):

237 (a) There is established an Interagency Council for Ending the  
238 Achievement Gap. The council shall consist of: (1) The Lieutenant  
239 Governor, or the Lieutenant Governor's designee, (2) the  
240 Commissioner of Education, or the commissioner's designee, (3) the

241 Commissioner of Children and Families, or the commissioner's  
242 designee, (4) the Commissioner of Social Services, or the  
243 commissioner's designee, (5) the Commissioner of Public Health, or the  
244 commissioner's designee, (6) the president of the Board of Regents for  
245 Higher Education, or the president's designee, (7) the Commissioner of  
246 Economic and Community Development, or the commissioner's  
247 designee, (8) the Commissioner of Administrative Services, or the  
248 commissioner's designee, (9) the Secretary of the Office of Policy and  
249 Management, or the secretary's designee, [and] (10) the Commissioner  
250 of Housing, or the commissioner's designee, and (11) the Chief Court  
251 Administrator, or the Chief Court Administrator's designee. The  
252 chairperson of the council shall be the Lieutenant Governor, or the  
253 Lieutenant Governor's designee. The council shall meet at least  
254 quarterly.

255 Sec. 11. Subsection (h) of section 10-145d of the 2016 supplement to  
256 the general statutes is repealed and the following is substituted in lieu  
257 thereof (*Effective July 1, 2016*):

258 (h) Any person who is a licensed marital and family therapist,  
259 pursuant to section 20-195c, or a candidate for licensure as a marital  
260 and family therapist, and employed by a local or regional board of  
261 education as a marital and family therapist shall provide services to  
262 students, families and parents or guardians of students. Not later than  
263 July 1, 2014, the State Board of Education shall, in accordance with the  
264 provisions of chapter 54, adopt regulations to implement the  
265 provisions of this subsection and provide standards for the  
266 certification of marital and family therapists employed by local or  
267 regional boards of education. Such regulations shall authorize marital  
268 and family therapists employed by a local or regional board of  
269 education to provide services to students, families and parents or  
270 guardians of students and include certification requirements to be met  
271 by (1) licensure as a marital and family therapist under section 20-195c,  
272 and (2) such other experience as the State Board of Education deems  
273 appropriate for the position of marital and family therapist in a school

274 system.

275 Sec. 12. (NEW) (*Effective July 1, 2016*) A local or regional board of  
276 education may establish a Pipeline for Connecticut's Future program.  
277 Under the program, a local or regional board of education shall partner  
278 with one or more local businesses to offer on-site training and course  
279 credit to students.

280 Sec. 13. (NEW) (*Effective July 1, 2016*) (a) As used in this section:

281 (1) "Mobile electronic device" means any hand-held or other  
282 portable electronic equipment capable of providing data  
283 communication between two or more individuals, including, but not  
284 limited to, a text messaging device, a paging device, a personal digital  
285 assistant, a laptop computer, equipment that is capable of playing a  
286 video game or a digital video disk, or equipment on which digital  
287 images are taken or transmitted; and

288 (2) "School employee" means: (A) A teacher, substitute teacher,  
289 school administrator, school superintendent, guidance counselor,  
290 psychologist, social worker, nurse, physician, school paraprofessional  
291 or coach employed by a local or regional board of education or a  
292 private elementary, middle or high school or working in a public or  
293 private elementary, middle or high school; or (B) any other person  
294 who, in the performance of his or her duties, has regular contact with  
295 students and who provides services to or on behalf of students  
296 enrolled in (i) a public elementary, middle or high school, pursuant to  
297 a contract with the local or regional board of education, or (ii) a private  
298 elementary, middle or high school, pursuant to a contract with the  
299 supervisory agent of such private school.

300 (b) No school employee may take custody of a student's personal  
301 mobile electronic device for purposes of accessing any data or other  
302 content stored upon or accessible from such device, or compel a  
303 student to produce, display, share or provide access to any data or  
304 other content stored upon or accessible from such device, except a

305 school employee may search, in accordance with the provisions of  
306 subsection (c) of this section, a student's personal mobile electronic  
307 device if the school employee has a reasonable individualized  
308 suspicion that a student (1) has violated or is violating an educational  
309 policy and that such device contains evidence of the suspected  
310 violation, or (2) poses a risk of imminent personal injury to such  
311 student or others.

312 (c) A school employee may search a student's personal mobile  
313 electronic device, pursuant to subsection (b) of this section, provided  
314 (1) such device is located on school grounds, (2) the search is strictly  
315 limited to finding evidence of the suspected policy violation, and (3)  
316 the school employee immediately ceases searching such device upon  
317 finding sufficient evidence of the suspected violation. Immediately  
318 after searching such device, the school employee shall report, in  
319 writing, to the principal the reasonable individualized suspicion that  
320 gave rise to the search. Not later than twenty-four hours after the  
321 search, the principal shall notify the student and the parent or  
322 guardian of the student of the suspected violation and what data was  
323 accessed from such device during the search of such device. The  
324 principal shall provide a copy of the report detailing the reasonable  
325 individualized suspicion that gave rise to the search.

326 (d) No school employee shall copy, share or transfer any data or any  
327 information accessed on a student's personal mobile electronic device  
328 during a search of such device that is unrelated to the suspected  
329 violation of an educational policy.

330 Sec. 14. Subsections (b) to (d), inclusive, of section 10-221a of the  
331 2016 supplement to the general statutes are repealed and the following  
332 is substituted in lieu thereof (*Effective July 1, 2016*):

333 (b) For classes graduating from 2004 to [2020] 2021, inclusive, no  
334 local or regional board of education shall permit any student to  
335 graduate from high school or grant a diploma to any student who has  
336 not satisfactorily completed a minimum of twenty credits, not fewer

337 than four of which shall be in English, not fewer than three in  
338 mathematics, not fewer than three in social studies, including at least a  
339 one-half credit course on civics and American government, not fewer  
340 than two in science, not fewer than one in the arts or vocational  
341 education and not fewer than one in physical education.

342 (c) Commencing with classes graduating in [2021] 2022, and for each  
343 graduating class thereafter, no local or regional board of education  
344 shall permit any student to graduate from high school or grant a  
345 diploma to any student who has not satisfactorily completed (1) a  
346 minimum of twenty-five credits, including not fewer than: (A) Nine  
347 credits in the humanities, including not fewer than (i) four credits in  
348 English, including composition; (ii) three credits in social studies,  
349 including at least one credit in American history and at least one-half  
350 credit in civics and American government; (iii) one credit in fine arts;  
351 and (iv) one credit in a humanities elective; (B) eight credits in science,  
352 technology, engineering and mathematics, including not fewer than (i)  
353 four credits in mathematics, including algebra I, geometry and algebra  
354 II or probability and statistics; (ii) three credits in science, including at  
355 least one credit in life science and at least one credit in physical science;  
356 and (iii) one credit in a science, technology, engineering and  
357 mathematics elective; (C) three and one-half credits in career and life  
358 skills, including not fewer than (i) one credit in physical education; (ii)  
359 one-half credit in health and safety education, as described in section  
360 10-16b; and (iii) two credits in career and life skills electives, such as  
361 career and technical education, English as a second language,  
362 community service, personal finance, public speaking and nutrition  
363 and physical activity; (D) two credits in world languages, subject to the  
364 provisions of subsection (g) of this section; and (E) a one credit senior  
365 demonstration project or its equivalent, as approved by the State Board  
366 of Education; and (2) end of the school year examinations for the  
367 following courses: (A) Algebra I, (B) geometry, (C) biology, (D)  
368 American history, and (E) grade ten English.

369 (d) Commencing with classes graduating in [2021] 2022, and for

370 each graduating class thereafter, local and regional boards of education  
 371 shall provide adequate student support and remedial services for  
 372 students beginning in grade seven. Such student support and remedial  
 373 services shall provide alternate means for a student to complete any of  
 374 the high school graduation requirements or end of the school year  
 375 examinations described in subsection (c) of this section, if such student  
 376 is unable to satisfactorily complete any of the required courses or  
 377 exams. Such student support and remedial services shall include, but  
 378 not be limited to, (1) allowing students to retake courses in summer  
 379 school or through an on-line course; (2) allowing students to enroll in a  
 380 class offered at a constituent unit of the state system of higher  
 381 education, as defined in section 10a-1, pursuant to subdivision (4) of  
 382 subsection (g) of this section; (3) allowing students who received a  
 383 failing score, as determined by the Commissioner of Education, on an  
 384 end of the school year exam to take an alternate form of the exam; and  
 385 (4) allowing those students whose individualized education programs  
 386 state that such students are eligible for an alternate assessment to  
 387 demonstrate competency on any of the five core courses through  
 388 success on such alternate assessment.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	10-14n
Sec. 2	<i>July 1, 2016</i>	10-145b(g)
Sec. 3	<i>July 1, 2016</i>	10-144o(7)
Sec. 4	<i>July 1, 2016</i>	10-198c(a)(2)
Sec. 5	<i>July 1, 2016</i>	10-223h(j)
Sec. 6	<i>July 1, 2016</i>	10-214(a)
Sec. 7	<i>from passage</i>	10-91g(c)
Sec. 8	<i>from passage</i>	10-91h
Sec. 9	<i>from passage</i>	2-90(i)
Sec. 10	<i>from passage</i>	10-16nn(a)
Sec. 11	<i>July 1, 2016</i>	10-145d(h)
Sec. 12	<i>July 1, 2016</i>	New section
Sec. 13	<i>July 1, 2016</i>	New section
Sec. 14	<i>July 1, 2016</i>	10-221a(b) to (d)

**ED**      *Joint Favorable Subst.*