



**Substitute House Bill No. 7253**

**Public Act No. 17-173**

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

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

Section 1. Section 10-14n of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2017*):

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

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

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regular school day.

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

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

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

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

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

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on the permanent record and the transcript of each such student and such student shall be issued a certificate of mastery for such component.

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

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

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

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

Sec. 2. Subsection (g) of section 10-145b of the general statutes is

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repealed and the following is substituted in lieu thereof (*Effective July 1, 2017*):

(g) On or after July 1, 1989, and prior to July 1, [2016] 2018, to qualify for a professional educator certificate, a person who holds or has held a provisional educator certificate under subsection (e) of this section shall have completed thirty credit hours of course work beyond the baccalaureate degree. It is not necessary that such course work be taken for a master's degree and such work may include graduate or undergraduate courses. On and after July 1, [2016] 2018, to qualify for a professional educator certificate, a person who holds or has held a provisional educator certificate under subsection (d) of this section shall hold a master's degree in an appropriate subject matter area, as determined by the State Board of Education, related to such teacher's certification endorsement area.

Sec. 3. Subdivision (7) of section 10-144o of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2017*):

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

Sec. 4. Subsection (j) of section 10-223h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July*

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1, 2017):

(j) (1) [The] Not later than February 1, 2018, and annually thereafter, the Commissioner of Education shall annually submit a report on the academic performance of each school participating in the commissioner's network of schools to the joint standing committee of the General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 11-4a. Such report shall include, but not be limited to, (A) the accountability index score, as defined in section 10-223e, for such school, (B) trends for the accountability index scores during the period that such school is participating in the commissioner's network of schools, (C) adjustments for subgroups of students at such school, including, but not limited to, students whose primary language is not English, students receiving special education services and students who are eligible for free or reduced price lunches, and (D) performance evaluation results in the aggregate for teachers and administrators at such school.

(2) [The] Not later than February 1, 2018, and annually thereafter, the Commissioner of Education shall annually submit a report comparing and analyzing the academic performance of all the schools participating in the commissioner's network of schools to the joint standing committee of the General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 11-4a. Such report shall include, but not be limited to, (A) the accountability index score, as defined in section 10-223e, for the school, (B) trends for the accountability indices during the period that such schools are participating in the commissioner's network of schools, (C) adjustments for subgroups of students at such schools, including, but not limited to, students whose primary language is not English, students receiving special education services and students who are eligible for free or reduced price lunches, and (D) performance

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

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

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

(5) Not later than February first each year, the Commissioner of Education shall present the items submitted pursuant to subdivisions (1) to (4), inclusive, of this subsection to the joint standing committee of the General Assembly having cognizance of matters relating to education.

Sec. 5. Subsection (a) of section 10-214 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2017*):

(a) Each local or regional board of education shall provide annually to each pupil in kindergarten and grades one and three to five,

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inclusive, a vision screening, using a Snellen chart, or equivalent screening device, such as an automated vision screening device. The superintendent of schools shall give written notice to the parent or guardian of each pupil (1) who is found to have any defect of vision or disease of the eyes, with a brief statement describing such defect or disease and a recommendation for the pupil to be examined by an optometrist licensed under chapter 380 or an ophthalmologist licensed under chapter 370, and (2) who did not receive such vision screening, with a brief statement explaining why such pupil did not receive such vision screening.

Sec. 6. Subsection (c) of section 10-91g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) The Auditors of Public Accounts shall conduct the audit described in subsection (b) of this section as follows: (1) [At least once for each private provider] The Auditors of Public Accounts, using a risk-based approach, shall audit private providers of special education services [during a period of seven years] at a frequency that they deem necessary, except that no private provider of special education services shall have its records and accounts so examined more than once during such five-year period, unless the auditors have found a problem with the records and accounts of such private provider of special education services during such five-year period; (2) [as practical, approximately half of such] audits [conducted in a year] shall be of private providers of special education services approved by the Department of Education and [approximately half of such audits conducted in such year shall be] of private providers of special education services not approved by the Department of Education; and (3) priority of conducting such audits, as practical, shall be given to those private providers of special education services (A) that receive the greatest total amount of state or local funds for the provision of

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special education services to students, (B) that provide special education services to the highest number of students for whom an individual services plan has been written by a local or regional board of education, and (C) that have a highest proportion of state and local funds for the provision of special education services in relation to their total operational expenses.

Sec. 7. Section 10-91h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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

Sec. 8. Subsection (i) of section 2-90 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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

Sec. 9. Subsection (a) of section 10-16nn of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from*



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*passage*):

(a) There is established an Interagency Council for Ending the Achievement Gap. The council shall consist of: (1) The Lieutenant Governor, or the Lieutenant Governor's designee, (2) the Commissioner of Education, or the commissioner's designee, (3) the Commissioner of Children and Families, or the commissioner's designee, (4) the Commissioner of Social Services, or the commissioner's designee, (5) the Commissioner of Public Health, or the commissioner's designee, (6) the president of the Connecticut State Colleges and Universities, or the president's designee, (7) the Commissioner of Economic and Community Development, or the commissioner's designee, (8) the Commissioner of Administrative Services, or the commissioner's designee, (9) the Secretary of the Office of Policy and Management, or the secretary's designee, [and] (10) the Commissioner of Housing, or the commissioner's designee, and (11) the Chief Court Administrator, or the Chief Court Administrator's designee. The chairperson of the council shall be the Lieutenant Governor, or the Lieutenant Governor's designee. The council shall meet at least quarterly.

Sec. 10. Subsection (h) of section 10-145d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2017*):

(h) Any person who is a licensed marital and family therapist, pursuant to section 20-195c, or a candidate for licensure as a marital and family therapist, and employed by a local or regional board of education as a marital and family therapist shall provide services to students, families and parents or guardians of students. Not later than July 1, 2014, the State Board of Education shall, in accordance with the provisions of chapter 54, adopt regulations to implement the provisions of this subsection and provide standards for the certification of marital and family therapists employed by local or

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regional boards of education. Such regulations shall authorize marital and family therapists employed by a local or regional board of education to provide services to students, families and parents or guardians of students and include certification requirements to be met by (1) licensure as a marital and family therapist under section 20-195c, and (2) such other experience as the State Board of Education deems appropriate for the position of marital and family therapist in a school system.

Sec. 11. (NEW) (*Effective July 1, 2017*) A local or regional board of education may establish a Pipeline for Connecticut's Future program. Under the program, a local or regional board of education shall partner with one or more local businesses to offer on-site training and course credit to students.

Sec. 12. Subsection (b) of section 10-157 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) A local or regional board of education may appoint as acting superintendent a person who is or is not properly certified for a probationary period, not to exceed one school year, with the approval of the Commissioner of Education. During such probationary period such acting superintendent shall assume all duties of the superintendent for the time specified and shall successfully complete a school leadership program, approved by the State Board of Education, offered at a public or private institution of higher education in the state. At the conclusion of such probationary period, such appointing local or regional board of education may request the commissioner to grant (1) a waiver of certification for such acting superintendent pursuant to subsection (c) of this section, or (2) a one-time extension of such probationary period, not to exceed one additional school year, if the commissioner determines that such board of education has demonstrated a significant need or hardship for such extension.

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Sec. 13. (*Effective from passage*) (a) There is established a task force to study issues relating to the governance, financing, general conduct and role of interscholastic athletics programs offered at high schools in the state. Such study shall include, but not be limited to, an examination of the following: (1) Barriers to participation in sanctioned interscholastic athletic activities, (2) the impact of nonsanctioned activities on interscholastic sports participation, (3) financing of interscholastic athletic teams, (4) policies regarding performance reviews of interscholastic athletics by school districts, (5) the length of the athletic season for specific sports and restrictions on participation in interscholastic athletics, (6) academic requirements for participation in interscholastic athletics, (7) safety and sportsmanship of participants and spectators, and (8) issues relating to the participation of students enrolled in nonpublic schools and schools of choice.

(b) The task force shall consist of the following members:

- (1) One appointed by the speaker of the House of Representatives;
- (2) One appointed by the president pro tempore of the Senate;
- (3) One appointed by the majority leader of the House of Representatives;
- (4) One appointed by the majority leader of the Senate;
- (5) One appointed by the minority leader of the House of Representatives;
- (6) One appointed by the Senate Republican president pro tempore;
- (7) A representative of the Connecticut Interscholastic Athletic Conference;
- (8) A representative of the Connecticut High School Coaches Association;

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(9) A representative of the Connecticut Athletic Directors Association;

(10) A representative of the Connecticut Association of Boards of Education;

(11) A representative of the Connecticut Association of Public School Superintendents; and

(12) A representative of the Connecticut Parent Teacher Association.

(c) Any member of the task force appointed under subdivision (1), (2), (3), (4), (5) or (6) of subsection (b) of this section may be a member of the General Assembly.

(d) All appointments to the task force shall be made not later than thirty days after the effective date of this section. Any vacancy shall be filled by the appointing authority.

(e) The speaker of the House of Representatives and the president pro tempore of the Senate shall select the chairpersons of the task force from among the members of the task force. Such chairpersons shall schedule the first meeting of the task force, which shall be held not later than sixty days after the effective date of this section.

(f) The administrative staff of the joint standing committee of the General Assembly having cognizance of matters relating to education shall serve as administrative staff of the task force.

(g) Not later than January 1, 2018, the task force shall submit a report on its findings and recommendations to the joint standing committee of the General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 11-4a of the general statutes. The task force shall terminate on the date that it submits such report or January 1, 2018, whichever is later.

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Sec. 14. Section 10-183v of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) (1) Except as provided in subdivisions (2) and (3) of this subsection and subsection (b) of this section, a teacher receiving retirement benefits from the system may not be employed in a teaching position receiving compensation paid out of public money appropriated for school purposes except that such teacher may be employed in such a position and receive no more than forty-five per cent of the maximum salary level for the assigned position. Any teacher who receives in excess of such amount shall reimburse the board for the amount of such excess.

(2) Commencing July 1, 2016, to June 30, 2018, inclusive, the provisions of subdivision (1) of this subsection establishing a limitation on the compensation of a reemployed teacher and requiring the reimbursement of any amount received in excess of that limitation shall not apply to a teacher who (A) is receiving retirement benefits from the system based on thirty-four or more years of credited service, (B) is reemployed as a teacher in a district designated as an alliance district pursuant to section 10-262u, and (C) was serving as a teacher in that district on July 1, 2015.

(3) On and after July 1, 2016, a teacher receiving retirement benefits from the system may be employed in a teaching position and receive (A) compensation paid out of public money appropriated for school purposes, (B) health insurance benefits, and (C) other employment benefits provided to active teachers employed by such school system, provided such teacher does not receive a retirement income during such employment. Payment of such teacher's retirement income shall resume on the first day of the month following the termination of such employment. The compensation [and health insurance benefits under subparagraphs (A) and (B)] under subparagraph (A) of this subdivision shall be provided in accordance with subsection (c) of this

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section.

(4) Notice of employment under this subsection shall be sent to the board by the employer at the beginning and end of the school year, or assignment within the school year when reemployed for less than the full school year.

(b) A teacher receiving retirement benefits from the system may be reemployed for up to one full school year by a local board of education, the State Board of Education or by any constituent unit of the state system of higher education in a position (1) designated by the Commissioner of Education as a subject shortage area, or (2) at a school located in a school district identified as a priority school district, pursuant to section 10-266p, for the school year in which the teacher is being employed. Notice of such reemployment shall be sent to the board by the employer and by the retired teacher at the time of hire and at the end of the assignment. Such reemployment may be extended for an additional school year, provided the local board of education (A) submits a written request for approval to the Teachers' Retirement Board, (B) certifies that no qualified candidates are available prior to the reemployment of such teacher, and (C) indicates the type of assignment to be performed, the anticipated date of rehire and the expected duration of the assignment.

(c) The employment of a teacher under subsections (a) and (b) of this section shall not be considered as service qualifying for continuing contract status under section 10-151 and the salary of such teacher shall be fixed at an amount at least equal to that paid other teachers in the same school system with similar training and experience for the same type of service. [Upon such employment under subsection (a) of this section, and upon approval by the board of such employment under subsection (b) of this section, such teacher shall be eligible for the same health insurance benefits provided to active teachers employed by such school system. No benefits shall be paid under section 10-183t,

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while such teacher is employed by such system.]

(d) No person shall be entitled to survivor's benefits under subsection (f) of section 10-183f as a result of reemployment under this section.

(e) The same option plan of retirement benefits in effect prior to reemployment shall continue for a reemployed teacher during reemployment.

(f) The provisions of this section in effect on June 30, 2003, revision of 1958, revised to January 1, 2003, shall be applicable to any person making contributions to the Teachers' Retirement System on June 30, 2003, in accordance with said provisions.

Sec. 15. Subsection (a) of section 10-151d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2017*):

(a) There is established a Performance Evaluation Advisory Council within the Department of Education. Membership of the council shall consist of: (1) The Commissioner of Education and the president of the Connecticut State Colleges and Universities, or their designees, (2) one representative from each of the following associations, designated by the association, the Connecticut Association of Boards of Education, the Connecticut Association of Public School Superintendents, the Connecticut Federation of School Administrators, the Connecticut Education Association, ~~and~~ [and] the American Federation of Teachers-Connecticut and the Connecticut Association of Schools, and (3) persons selected by the Commissioner of Education who shall include, but not be limited to, teachers, persons with expertise in performance evaluation processes and systems, and any other person the commissioner deems appropriate.

Approved July 6, 2017