



# House of Representatives

General Assembly

**File No. 552**

January Session, 2017

Substitute House Bill No. 7253

*House of Representatives, April 12, 2017*

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 Section 10-14n of the general statutes is repealed and the  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

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

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

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

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

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

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

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

46 certification of having met or exceeded such goal level shall be made  
47 on the permanent record and the transcript of each such student and  
48 such student shall be issued a certificate of mastery for such  
49 component.

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

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

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

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

75 Sec. 2. Subsection (g) of section 10-145b of the general statutes is  
76 repealed and the following is substituted in lieu thereof (*Effective July*  
77 *1, 2017*):

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

90 Sec. 3. Subdivision (7) of section 10-144o of the general statutes is  
91 repealed and the following is substituted in lieu thereof (*Effective July*  
92 *1, 2017*):

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

104 Sec. 4. Subsection (j) of section 10-223h of the general statutes is  
105 repealed and the following is substituted in lieu thereof (*Effective July*  
106 *1, 2017*):

107 (j) (1) [The] Not later than September 15, 2017, and annually  
108 thereafter, the Commissioner of Education shall annually submit a  
109 report on the academic performance of each school participating in the  
110 commissioner's network of schools to the joint standing committee of

111 the General Assembly having cognizance of matters relating to  
112 education, in accordance with the provisions of section 11-4a. Such  
113 report shall include, but not be limited to, (A) the accountability index  
114 score, as defined in section 10-223e, for such school, (B) trends for the  
115 accountability index scores during the period that such school is  
116 participating in the commissioner's network of schools, (C)  
117 adjustments for subgroups of students at such school, including, but  
118 not limited to, students whose primary language is not English,  
119 students receiving special education services and students who are  
120 eligible for free or reduced price lunches, and (D) performance  
121 evaluation results in the aggregate for teachers and administrators at  
122 such school.

123 (2) [The] Not later than September 15, 2017, and annually thereafter,  
124 the Commissioner of Education shall annually submit a report  
125 comparing and analyzing the academic performance of all the schools  
126 participating in the commissioner's network of schools to the joint  
127 standing committee of the General Assembly having cognizance of  
128 matters relating to education, in accordance with the provisions of  
129 section 11-4a. Such report shall include, but not be limited to, (A) the  
130 accountability index score, as defined in section 10-223e, for the school,  
131 (B) trends for the accountability indices during the period that such  
132 schools are participating in the commissioner's network of schools, (C)  
133 adjustments for subgroups of students at such schools, including, but  
134 not limited to, students whose primary language is not English,  
135 students receiving special education services and students who are  
136 eligible for free or reduced price lunches, and (D) performance  
137 evaluation results in the aggregate for teachers and administrators at  
138 such schools.

139 (3) [Following] Not later than September fifteenth following the  
140 expiration of the turnaround plan for each school participating in the  
141 commissioner's network of schools, the commissioner shall submit a  
142 final report that (A) evaluates such turnaround plan and the academic  
143 performance of such school during the period that such turnaround  
144 plan was in effect, and (B) makes recommendations for the operation

145 of such school to the joint standing committee of the General Assembly  
146 having cognizance of matters relating to education, in accordance with  
147 the provisions of section 11-4a.

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

156 (5) Not later than September thirtieth each year, the joint standing  
157 committee of the General Assembly having cognizance of matters  
158 relating to education shall meet with the Commissioner of Education  
159 and any other persons they deem appropriate to consider the items  
160 submitted pursuant to subdivisions (1) to (4), inclusive, of this  
161 subsection.

162 Sec. 5. Subsection (a) of section 10-214 of the general statutes is  
163 repealed and the following is substituted in lieu thereof (*Effective July*  
164 *1, 2017*):

165 (a) Each local or regional board of education shall provide annually  
166 to each pupil in kindergarten and grades one and three to five,  
167 inclusive, a vision screening, using a Snellen chart, or equivalent  
168 screening. The superintendent of schools shall give written notice to  
169 the parent or guardian of each pupil (1) who is found to have any  
170 defect of vision or disease of the eyes, with a brief statement describing  
171 such defect or disease and a recommendation for the pupil to be  
172 examined by an optometrist licensed under chapter 380 or an  
173 ophthalmologist licensed under chapter 370, and (2) who did not  
174 receive such vision screening, with a brief statement explaining why  
175 such pupil did not receive such vision screening.

176 Sec. 6. Subsection (c) of section 10-91g of the general statutes is

177 repealed and the following is substituted in lieu thereof (*Effective from*  
178 *passage*):

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

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

205 Each local and regional board of education shall annually provide to  
206 the Auditors of Public Accounts (1) the number of students under the  
207 jurisdiction of such board of education who receive special education  
208 and related services from a private provider of special education  
209 services, as defined in section 10-91g, as amended by this act, [and] (2)

210 the amount of money paid to such private providers of special  
211 education services by the board during the previous fiscal year, and (3)  
212 any other information the Auditors of Public Accounts deem necessary  
213 to conduct an audit of such private providers of special education  
214 services pursuant to section 10-91g, as amended by this act.

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

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

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

227 (a) There is established an Interagency Council for Ending the  
228 Achievement Gap. The council shall consist of: (1) The Lieutenant  
229 Governor, or the Lieutenant Governor's designee, (2) the  
230 Commissioner of Education, or the commissioner's designee, (3) the  
231 Commissioner of Children and Families, or the commissioner's  
232 designee, (4) the Commissioner of Social Services, or the  
233 commissioner's designee, (5) the Commissioner of Public Health, or the  
234 commissioner's designee, (6) the president of the Connecticut State  
235 Colleges and Universities, or the president's designee, (7) the  
236 Commissioner of Economic and Community Development, or the  
237 commissioner's designee, (8) the Commissioner of Administrative  
238 Services, or the commissioner's designee, (9) the Secretary of the Office  
239 of Policy and Management, or the secretary's designee, [and] (10) the  
240 Commissioner of Housing, or the commissioner's designee, and (11)  
241 the Chief Court Administrator, or the Chief Court Administrator's  
242 designee. The chairperson of the council shall be the Lieutenant



243 Governor, or the Lieutenant Governor's designee. The council shall  
244 meet at least quarterly.

245 Sec. 10. Subsection (h) of section 10-145d of the general statutes is  
246 repealed and the following is substituted in lieu thereof (*Effective July*  
247 *1, 2017*):

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

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

270 Sec. 12. (*Effective from passage*) The Department of Education shall  
271 conduct a study regarding the October first reporting date for  
272 purposes of interdistrict magnet school enrollment, as prescribed in  
273 subdivision (1) of subsection (d) of section 10-264l of the general  
274 statutes. The study shall examine the feasibility of extending such  
275 reporting date by at least one calendar month, and shall include, but

276 not be limited to, an analysis of how such extension will impact (1)  
277 magnet school operators and local and regional boards of education,  
278 and (2) state grants relating to interdistrict magnet schools, such as  
279 prior year adjustments and other reconciliations that are designed to  
280 keep school districts whole. Not later than January 1, 2018, the  
281 department shall submit such study and any recommendations to the  
282 joint standing committee of the General Assembly having cognizance  
283 of matters relating to education, in accordance with the provisions of  
284 section 11-4a of the general statutes.

285 Sec. 13. Subsection (d) of section 10-7600 of the general statutes is  
286 repealed and the following is substituted in lieu thereof (*Effective July*  
287 *1, 2017*):

288 (d) For the school year commencing July 1, [2016] 2017, and each  
289 school year thereafter, if the department purchases a digital  
290 individualized education program under this section, the department  
291 shall initially provide such digital individualized education program  
292 form software to [fifty per cent of the local and regional boards of  
293 education and to fifty per cent of the technical high schools under the  
294 jurisdiction of the technical high school system] at least ten local or  
295 regional boards of education, one of which may be the technical high  
296 school system. For the school year commencing July 1, [2017] 2018, and  
297 each school year thereafter, the department shall provide the digital  
298 individualized education program form software to [the remaining  
299 fifty per cent of the] each local and regional [boards] board of  
300 education and to the [remaining fifty per cent of the technical high  
301 schools under the jurisdiction of the] technical high school system.

302 Sec. 14. Section 10-4b of the general statutes is repealed and the  
303 following is substituted in lieu thereof (*Effective July 1, 2017*):

304 (a) Any resident of a local or regional school district, or parent or  
305 guardian of a student enrolled in the public schools of such school  
306 district who has been unable to resolve a complaint with the board of  
307 education of such local or regional school district may file with the  
308 State Board of Education a complaint in writing, or the state board

309 may initiate a complaint, alleging the failure or inability of the board of  
310 education of such local or regional school district to implement the  
311 educational interests of the state in accordance with section 10-4a. If  
312 the state board, or its designee, finds such complaint to be substantial,  
313 it shall notify the local or regional board of such complaint and shall  
314 designate an agent who shall conduct a prompt investigation in  
315 accordance with procedures established by said state board and report  
316 the results of such investigation to the state board. The agent of the  
317 State Board of Education, in conducting an investigation, may  
318 summon by subpoena any records or documents related to the  
319 investigation. If the findings indicate that there is reasonable cause to  
320 believe that a local or regional board of education has failed or is  
321 unable to make reasonable provision to implement the educational  
322 interests of the state as defined in section 10-4a or that a local  
323 governmental body or its agent is responsible for such failure or  
324 inability, said state board shall conduct an inquiry. The State Board of  
325 Education shall give the board of education or a local governmental  
326 body or its agent involved the opportunity to be heard in accordance  
327 with the provisions of sections 4-176e to 4-184. Said state board may  
328 summon by subpoena any person whose testimony may be pertinent  
329 to the inquiry and any records or documents related to the provision of  
330 public education in the school district. For purposes of this section,  
331 "public school" includes any school under the jurisdiction of a local or  
332 regional board of education, state or local charter school, as such terms  
333 are defined in section 10-66aa, interdistrict magnet school, technical  
334 high school, agricultural science and technology education center, as  
335 described in section 10-64, and incorporated or endowed high school  
336 or academy approved under the provisions of section 10-34; and "local  
337 or regional board of education" includes a local or regional board of  
338 education, governing council of a state charter school, interdistrict  
339 magnet school operator, as described in section 10-264l, regional  
340 educational services center, as defined in section 10-282, the technical  
341 high school system board, a cooperative arrangement committee  
342 established pursuant to section 10-158a, and the board of trustees of an  
343 incorporated or endowed high school or academy approved pursuant

344 to section 10-34.

345 (b) If, after conducting an inquiry in accordance with subsection (a)  
346 of this section, the state board finds that a local or regional board of  
347 education has failed or is unable to implement the educational  
348 interests of the state in accordance with section 10-4a, the state board  
349 shall (1) require the local or regional board of education to engage in a  
350 remedial process whereby such local or regional board of education  
351 shall develop and implement a plan of action through which  
352 compliance may be attained, or (2) order the local or regional board of  
353 education to take reasonable steps where such local or regional board  
354 has failed to comply with subdivision (3) of section 10-4a. Where a  
355 local or regional board of education is required to implement a  
356 remedial process pursuant to subdivision (1) of this subsection, upon  
357 request of such local or regional board, the state board shall make  
358 available to such local or regional board materials and advice to assist  
359 in such remedial process. If the state board finds that a local  
360 governmental body or its agent is responsible for such failure or  
361 inability, the state board may order such governmental body or agent  
362 to take reasonable steps to comply with the requirements of section 10-  
363 4a. The state board may not order an increase in the budgeted  
364 appropriations for education of such local or regional board of  
365 education if such budgeted appropriations are in an amount at least  
366 equal to the minimum budget requirement in accordance with section  
367 10-262j. If the state board finds that the state is responsible for such  
368 failure, the state board shall so notify the Governor and the General  
369 Assembly.

370 (c) Upon the failure of a local or regional board of education to  
371 implement a remedial process, or upon the failure of a local or regional  
372 board of education or local governmental body or its agent to comply  
373 with an order of the state board in accordance with subsection (b) of  
374 this section, said state board may seek an order from the Superior  
375 Court to compel such board of education to implement a remedial  
376 process or to compel a local or regional board of education or local  
377 governmental body or its agent to carry out the order of the State

378 Board of Education.

379 (d) The state board shall pursuant to the provisions of chapter 54  
380 adopt regulations concerning procedures for purposes of this section.

381 Sec. 15. Subsection (b) of section 10-157 of the general statutes is  
382 repealed and the following is substituted in lieu thereof (*Effective from*  
383 *passage*):

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

399 Sec. 16. (*Effective from passage*) There is established a task force to  
400 study issues relating to the governance, financing, general conduct and  
401 role of interscholastic athletics programs offered at high schools in the  
402 state. Such study shall include, but not be limited to, an examination of  
403 the following: (1) Barriers to participation in sanctioned interscholastic  
404 athletic activities, (2) the impact of nonsanctioned activities on  
405 interscholastic sports participation, (3) financing of interscholastic  
406 athletic teams, (4) policies regarding performance reviews of  
407 interscholastic schools by school districts, (5) the length of the athletic  
408 season for specific sports and restrictions on participation in  
409 interscholastic athletics, (6) academic requirements for participation in  
410 interscholastic athletics, (7) safety and sportsmanship of participants

411 and spectators, and (8) issues relating to the participation of students  
412 enrolled in nonpublic schools and schools of choice.

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

414 (1) One appointed by the speaker of the House of Representatives;

415 (2) One appointed by the president pro tempore of the Senate;

416 (3) One appointed by the majority leader of the House of  
417 Representatives, who is an official, referee or umpire of interscholastic  
418 athletics;

419 (4) One appointed by the majority leader of the Senate;

420 (5) One appointed by the minority leader of the House of  
421 Representatives, who is an athletic trainer for interscholastic sports;

422 (6) One appointed by the minority leader of the Senate;

423 (7) A representative of the Connecticut Interscholastic Athletic  
424 Conference;

425 (8) A representative of the Connecticut High School Coaches  
426 Association;

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

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

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

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

434 (c) Any member of the task force appointed under subdivision (1),  
435 (2), (3), (4), (5) or (6) of subsection (b) of this section may be a member  
436 of the General Assembly.

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

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

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

448 (g) Not later than January 1, 2018, the task force shall submit a  
 449 report on its findings and recommendations to the joint standing  
 450 committee of the General Assembly having cognizance of matters  
 451 relating to education, in accordance with the provisions of section 11-  
 452 4a of the general statutes. The task force shall terminate on the date  
 453 that it submits such report or January 1, 2018, whichever is later.

|   |                     |             |
|---|---------------------|-------------|
| This act shall take effect as follows and shall amend the following sections: |                     |             |
| Section 1   | <i>July 1, 2017</i> | 10-14n      |
| Sec. 2  | <i>July 1, 2017</i> | 10-145b(g)  |
| Sec. 3  | <i>July 1, 2017</i> | 10-144o(7)  |
| Sec. 4  | <i>July 1, 2017</i> | 10-223h(j)  |
| Sec. 5  | <i>July 1, 2017</i> | 10-214(a)   |
| Sec. 6  | <i>from passage</i> | 10-91g(c)   |
| Sec. 7  | <i>from passage</i> | 10-91h      |
| Sec. 8  | <i>from passage</i> | 2-90(i)     |
| Sec. 9  | <i>from passage</i> | 10-16nn(a)  |
| Sec. 10   | <i>July 1, 2017</i> | 10-145d(h)  |
| Sec. 11   | <i>July 1, 2017</i> | New section |
| Sec. 12   | <i>from passage</i> | New section |
| Sec. 13   | <i>July 1, 2017</i> | 10-76oo(d)  |
| Sec. 14   | <i>July 1, 2017</i> | 10-4b       |
| Sec. 15   | <i>from passage</i> | 10-157(b)   |

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|         |                     |             |
|---------|---------------------|-------------|
| Sec. 16 | <i>from passage</i> | New section |
|---------|---------------------|-------------|

**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 18 \$        | FY 19 \$ |
|--|---------------------|-----------------|----------|
| Education, Dept.                                 | GF - Potential Cost | Up to 2 million | None     |
| Education, Dept.                                 | GF - Cost           | 80,000          | 80,000   |
| State Comptroller - Fringe Benefits <sup>1</sup> | GF - Cost           | 30,464          | 30,464   |

Note: GF=General Fund

**Municipal Impact:**

| Municipalities                      | Effect         | FY 18 \$  | FY 19 \$  |
|-------------------------------------|----------------|-----------|-----------|
| Local and Regional School Districts | Potential Cost | See Below | See Below |

**Explanation**

The bill makes several changes to the education statutes, three of which could result in a fiscal impact.

**Section 11** allows a local or regional board of education to establish a Pipeline for Connecticut’s Future program to partner with local businesses to offer on-site training. This could result in a potential cost to local and regional school districts. However, it is anticipated that districts would only chose to enter into partnerships if they did not result in additional costs.

**Section 13** adjusts the timeframe for allowing the State Department

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<sup>1</sup>The fringe benefit costs for most state employees are budgeted centrally in accounts administered by the Comptroller. The estimated active employee fringe benefit cost associated with most personnel changes is 38.08% of payroll in FY 18 and FY 19.

of Education (SDE) to distribute digital individualized education program (IEP) software to districts. SDE is not required to purchase the software; however, if they do, it is anticipated that the software could result in a cost of up to \$2 million.

**Section 14** expands the types of public schools to which the complaint process alleging failure to meet the educational interest of the state, applies. This will result in additional complaints that SDE will be responsible for addressing. It is anticipated that SDE will require one additional Education Consultant with an annual salary of approximately \$80,000 and corresponding fringe benefits of \$30,464.

The bill makes various other procedural, technical and conforming changes that are not anticipated to result in a fiscal impact.

### ***The Out Years***

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

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**OLR Bill Analysis**

**sHB 7253**

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

**SUMMARY**

This bill makes the following changes to the education statutes:

1. requires the State Department of Education (SDE) to provide local and regional boards of education with mastery exam scores by August 15 of each school year following the exam administration (§ 1);
2. postpones for two years, from July 1, 2016 to July 1, 2018, the requirement that a person hold a master's degree in a subject matter area determined by the State Board of Education (SBE) in order to earn a professional educator certificate (see BACKGROUND) (§§ 2 & 3);
3. establishes a specific date by which the education commissioner must submit reports to the Education Committee on the commissioner's network of schools and requires the committee to meet annually with the commissioner to discuss such reports (§ 4);
4. requires public school superintendents to recommend in writing to a student's parents or guardians that the child be examined by a licensed optometrist or ophthalmologist if the child is found to have a vision defect or eye disease during an in-school exam (§ 5);
5. changes the frequency of private special education provider audits and requires boards of education and private providers to provide auditors with certain information (§§ 6-8);

6. adds the chief court administrator, or his designee, to the Interagency Council for Ending the Achievement Gap membership (see BACKGROUND) (§ 9);
7. allows boards of education to employ candidates for marital and family therapist licensure in their schools to provide services to students and their parents or guardians (§ 10);
8. allows boards of education to establish a “Pipeline for Connecticut’s Future” program, in which boards of education must partner with local businesses to offer on-site training and course credit (§ 11);
9. requires SDE to conduct a study and report to the Education Committee on extending the annual October 1 deadline by which magnet school operators must report their enrollment numbers to the department (§ 12);
10. adjusts the timetable under which SDE must distribute digital individualized education program (IEP) software to school districts, should the department choose to purchase this software (see BACKGROUND) (§ 13);
11. specifies the types of public schools and boards of education that are subject to SBE’s statutorily prescribed complaint process for allegations of failure to implement the state’s educational interests (§ 14);
12. allows a board of education to request from the education commissioner a one-time probationary extension for an uncertified, acting superintendent under certain circumstances (§ 15); and
13. establishes a task force to study issues related to high school interscholastic athletics programs (§ 16).

The bill also makes technical and conforming changes.

EFFECTIVE DATE: July 1, 2017, except the sections about special education provider audits (§§ 6-8), the Interagency Council for Ending the Achievement Gap (§ 9), magnet school enrollment reporting (§ 12), superintendent probationary periods (§ 15), and the athletics programs task force (§ 16) take effect upon passage.

#### **§ 4 — COMMISSIONER’S NETWORK REPORTS**

By law, the “commissioner’s network of schools” is a program that selects certain low-performing schools to craft turnaround plans aimed at improving student performance. The state supplies additional funds to help implement a school’s turnaround plan once the education commissioner approves it.

Current law requires the commissioner to submit two annual reports to the Education Committee: one on the academic performance of each school in the network and another comparing and analyzing the academic performance of all schools in the network. The bill establishes a September 15, 2017 deadline for these annual reports.

Additionally, current law requires the commissioner to submit a final report to the Education Committee on each school in the network after the schools’ respective turnaround plans expire. This report evaluates each plan and the school’s academic performance under the plan and also makes recommendations about the school’s operation. The bill specifies that the commissioner must submit these final reports no later than September 15 after the expiration of the respective turnaround plans.

The bill also requires the Education Committee to meet annually, by September 30, with the commissioner and any other people it deems appropriate to discuss the above three reports, along with a report due January 1, 2020 under existing law in which the commissioner must evaluate the entire network and make recommendations about its operation.

#### **§§ 6-8 — AUDITS OF SPECIAL EDUCATION PROVIDERS**

Existing law requires the Auditors of Public Accounts to examine

the records and accounts of private special education providers. The examination must include a compliance audit of whether the private provider expended state or local funds for allowable costs in accordance with (1) state and federal law and (2) the IEP or individual services plan for each child receiving special education and related services from the provider.

Under the bill, the auditors may determine the frequency of such audits as often as they deem necessary using a risk-based approach, rather than auditing each provider at least once every seven years as required by law. The law still limits the number of audits of a private provider to no more than once every five years, however, unless the auditors have found a problem with the provider's records and accounts. Additionally, the bill requires boards of education, as well as private providers, to give the auditors any information the auditors deem necessary in order to conduct the audit.

#### **§ 12 — MAGNET SCHOOL ENROLLMENT REPORTING STUDY**

By law, magnet school operators ("operators") receive state operating grants by September 1 and May 1 each fiscal year that are based in part upon student enrollment. Operators must submit October 1 enrollment numbers to SDE so that the department can adjust the May 1 grant payment to reflect actual enrollment (CGS § 10-264l).

The bill requires SDE, by January 1, 2018, to submit a study to the Education Committee about the feasibility of extending the annual October 1 enrollment reporting deadline by at least one calendar month. The study must include an analysis of how this extension will impact (1) operators and boards of education and (2) state interdistrict magnet school grants, including prior year adjustments and other reconciliations designed to keep school districts whole. The study may include SDE recommendations.

#### **§ 13 — IEP SOFTWARE**

The law allows SDE to issue a request for proposals for the purchase

of digital IEP software that it must distribute to school districts statewide. Under current law, if SDE chooses to purchase this software, it must distribute the software to districts according to the following timeline:

1. to 50% of local and regional boards of education and 50% of technical high schools in the 2016-17 school year and
2. to the remaining boards of education and technical high schools in the 2017-18 school year.

Under the bill, if SDE chooses to purchase the software, it must distribute it according to the following timetable:

1. to at least 10 local or regional boards of education, one of which may be the technical high school system, in the 2017-18 school year and
2. to all other boards of education and the technical high school system in the 2018-19 school year.

#### **§ 14 — COMPLAINT PROCESS ALLEGING FAILURE TO MEET EDUCATIONAL INTERESTS OF THE STATE**

The law allows any parent or guardian of a student enrolled in a public school, or any resident of a local or regional school district, to file a written complaint with SBE alleging the local or regional board of education's failure to implement the state's educational interests (see BACKGROUND). It also allows SBE to initiate its own complaint against a board of education (CGS § 10-4b).

The bill specifies the type of public schools and boards of education to which the complaint process applies. It defines "public school" to include any school under a local or regional board of education's jurisdiction, state or local charter school, interdistrict magnet school, technical high school, agricultural science and technology education center, and incorporated or endowed high school or academy. It defines "local and regional board of education" to include the following:

1. a local or regional board of education,
2. a state charter school governing council,
3. an interdistrict magnet school operator,
4. a regional education service center,
5. the technical high school system board,
6. a cooperative arrangement committee, and
7. the board of trustees of an incorporated or endowed high school or academy.

#### **§ 15 — EXTENSION OF ACTING SUPERINTENDENT PROBATIONARY PERIOD**

The law allows a board of education to appoint an uncertified, acting superintendent for a one-year probationary period with the education commissioner's approval. Under the bill, the board may request that the commissioner grant a one-time probationary period extension, up to one additional school year. In order to grant the extension, the commissioner must determine that the board has shown a significant need or hardship.

#### **§ 16 — TASK FORCE ON INTERSCHOLASTIC ATHLETICS PROGRAMS**

The bill creates a 12-member task force to study the governance, financing, general conduct, and role of high school interscholastic athletics programs in Connecticut. The Education Committee's administrative staff must serve as the task force's staff. The bill establishes the task force study scope and membership.

##### ***Study Scope***

The task force study must examine the following topics:

1. barriers to participation in sanctioned interscholastic athletic activities,



2. the impact of non-sanctioned activities on interscholastic sports participation,
3. financing of interscholastic athletic teams,
4. policies about school districts' performance reviews of interscholastic schools,
5. the athletic season's length for specific sports and restrictions on participation in interscholastic athletics,
6. academic requirements for interscholastic athletics participation,
7. participant and spectator safety and sportsmanship, and
8. issues relating to participation of students enrolled in private schools and schools of choice.

The task force must submit its findings and recommendations to the Education Committee by January 1, 2018. It terminates on that date or the date it submits the report, whichever is later.

### **Membership**

Table 1 below describes the task force membership and appointing authorities. The legislative leaders' six appointees may be legislators.

**Table 1: Interscholastic Athletics Task Force Membership**

| <b><i>Appointing authority</i></b> | <b><i>Member qualifications</i></b>                            |
|------------------------------------|--|
| House speaker                      | None   |
| Senate president pro tempore       | None   |
| House majority leader              | Interscholastic athletics official, referee, or umpire         |
| Senate majority leader             | None   |
| House minority leader              | Athletic trainer for interscholastic sports                    |
| Senate minority leader             | None   |
| N/A                                | Connecticut Interscholastic Athletic Conference representative |
| N/A                                | Connecticut High School Coaches Association representative     |
| N/A                                | Connecticut Athletic Directors Association representative      |
| N/A                                | Connecticut Association of Boards of Education representative  |

|     |   |
|-----|---|
| N/A | Connecticut Association of Public School Superintendents representative |
| N/A | Connecticut Parent Teacher Association representative                   |

The bill requires that the legislative leaders appoint their members to the task force within 30 days after the bill's passage. The House speaker and Senate president pro tempore must select the task force chairpersons, who must schedule the first task force meeting within 60 days after the bill's passage.

## **BACKGROUND**

### ***Professional Educator Certificate***

This certificate is the highest level certificate for public school teachers. Prior to July 1, 2016, to earn this certificate a teacher must hold a provisional teaching certificate (i.e., the mid-level certificate), have taught at least three years, and completed at least 30 semester credit hours beyond a bachelor's degree. On and after that date, a teacher must hold a master's degree in an appropriate subject matter area related to the certification endorsement area, as determined by SBE (CGS § 10-144o).

### ***Interagency Council for Ending the Achievement Gap***

This council is charged with assisting the achievement gap task force in developing its master plan, implementing the plan's provisions, and submitting annual progress reports on plan implementation to the Education Committee (CGS § 10-16nn).

### ***Individualized Education Program (IEP)***

As defined in the federal Individuals with Disabilities Education Act, an IEP is a written statement that details a student's academic achievement, sets goals for future achievement, and details the specialized educational services the student needs to reach these goals (20 U.S.C. §§ 1401(14) & 1414(d)). As with other states, Connecticut's special education laws (CGS §§ 10-76a to 10-76h) must conform to the federal law.

### ***Educational Interests of the State***

The educational interests of the state include the following concerns:

1. Each child must have an equal opportunity to receive a suitable program of educational experiences for the period prescribed by law.
2. Each school district must finance at a reasonable level, at least equal to the minimum budget requirement, an educational program designed to achieve this end.
3. In order to reduce racial, ethnic, and economic isolation, each school district must provide educational opportunities for its students to interact with students and teachers from other racial, ethnic, and economic backgrounds and may provide such opportunities to students from other communities.
4. The education mandates in the general statutes within SBE's jurisdiction must be implemented (CGS § 10-4a).

**COMMITTEE ACTION**

Education Committee

Joint Favorable Substitute

Yea 32 Nay 0 (03/24/2017)