



General Assembly

Substitute Bill No. 7253

January Session, 2017

* _____HB07253ED_____032717_____*

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 Section 10-14n of the general statutes is repealed and the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)
Sec. 16	<i>from passage</i>	New section

ED *Joint Favorable Subst.*