



STATE OF CONNECTICUT  
STATE DEPARTMENT OF EDUCATION



Connecticut General Assembly  
Education Committee  
Testimony of Commissioner Dianna R. Wentzell  
February 26, 2018

Good morning Senator Slossberg, Representative Fleischmann, Senator Boucher, Representative Lavielle and members of the Education Committee, I am Dianna Wentzell, Commissioner of the Department of Education, and I am pleased to have an opportunity to testify before you today regarding a series of important education-related proposals. I will summarize my written testimony and then I will be happy to answer any questions that you may have.

**H.B. 5167, An Act Increasing The Amount A Board Of Education May Deposit Into A Nonlapsing Account For Unexpected Education Funds**

The Department is cautious about this proposal. While having the ability to reserve a small amount of unspent funds for future needs - - both planned and unplanned - - makes sense, we need to be very careful to not allow districts to purposefully leave funds unspent because they are concerned about potential future budget problems. We would also like to note that the scale of 2% will obviously vary dramatically based on the size of the district's budget. We would be pleased to work with you on this concept moving forward.

**H.B. 5168, An Act Concerning The Creation Of The Summer Learning Grant Program**

The proposed summer program outlined in this bill shares similarities with two grants already administered by the Department, the State After-School Program Grant, as well as the Priority School District School Accountability/Summer School Grant. This grant is unique in that it is open to all local and regional boards of education, municipalities and 501(c)(3) entities and is focused specifically on math, literacy, behavior and obesity impacts. We believe that if it is funded sufficiently and includes the 4% set aside proposed in the language before you, we could likely administer this grant as well. We would note however, that 240 hours is an extensive amount of time for this type of summer program, which essentially measures out to forty six-hour days. The Department will be able to collect, compile and deliver to the General Assembly the data received from each operator regarding the impact of their program on the students being served. We will not, however, report impact on obesity due to concerns with the potential stigma associated with weighing individual children. Lastly, please keep in mind, to make them meaningful in any real way, the academic impact reports would also require these programs to provide academic assessments at both the beginning and end of the program, which would need to be uniform in order to deliver any accurate state-wide data. We are happy to work with you on getting this proposal to a place the Department can fully support.

**H.B. 5170, An Act Concerning Students' Right To Privacy In Their Mobile Electronic Devices**

The Department has testified against this bill for the last two sessions, which pertains to the seizure of a student's phone by a school employee, and will do so again today. We believe this proposal is preempted by existing federal constitutional law governing issues pertaining to search and seizure and could cause unnecessary confusion. There is already a well-developed body of constitutional law addressing student search and seizure under the Fourth Amendment. These legal principles take precedence over state law and school officials and state and local police are already familiar with them. This proposal also overly limits the ability of school personnel to conduct a reasonable search, or to take custody of a mobile device without searching it for reasonable periods of time to deal with disruption or distraction in the classroom.

## **S.B. 8, An Act Implementing The Governor's Budget Recommendations Concerning Education**

The Department fully supports the restoration of the per pupil magnet school transportation grant for Sheff schools to \$2,000/pupil, which is also included in the Department's agency bill. This legislation expired last June returning the Sheff reimbursement rate to \$1,300 per pupil. Please note that the \$2,000 per pupil does not cover the entire cost of transporting students to Sheff magnet schools. We are also supportive of the section that pertains to the Department's ability to reduce the per pupil payment for charter school students if necessary to remain within the available appropriation level. We currently have similar language for all of our grants including choice programs, such as magnet schools and Agriculture, Science and Technology programs.

## **S.B. 183, An Act Implementing The Recommendations Of The Department Of Education**

This is the Department's agency bill and we appreciate the Committee Chairs allowing it to be raised.

**Section 1** - Seeks to align the date that magnet enrollment data is frozen for final calculations to pay the Education Cost Sharing grant to January 31<sup>st</sup>, the date when the October 1<sup>st</sup> data collection is finalized and released. We are attempting to align the data used to pay all of our statutory and non-statutory grants, which will help significantly when it comes to making prior year adjustments.

**Section 2** - Removes conflicting statutory language regarding different payment levels for the magnet grant. The statute recently changed which allows for magnet grants to be paid at the operator, rather than the school level, however it was not done consistently throughout the statute. This proposal aligns all of the payment language to remove the conflict.

**Section 3** – This is a yearly submission that allows the Department to pay the Supplemental Magnet Transportation Grant to the Capitol Region Education Council (CREC) to cover the costs associated with transporting students in the Hartford area in support of the Sheff initiative.

**Section 4** - Pertains to the statute governing the use of physical restraint and seclusion. It provides a definition for exclusionary time out and clarifies the definitions for physical restraint and seclusion to align our definitions with language from IDEA and the Office of Civil Rights. Furthermore, currently, when a teacher needs to take a student out into the hall for a moment to defuse a situation and there is a paraprofessional or teacher with them the whole time, it is still being reported as a seclusion and is skewing our data. By adding this definition we will be able to tease out actual seclusion from time outs.

**Section 5** - Pertains to actions that the State Board of Education may take in situations pertaining to teacher misconduct. Currently it is all or nothing. When a situation comes before it, the Board can either revoke or deny a certificate, but has no in-between option for misconduct that does not rise to the level of a revocation. This proposal would allow for a more graduated response and closely mirrors Department of Public Health statutes pertaining to physician licensure. This would also allow the Department to access and consider disciplinary actions against a teacher from another state, but does not require us to take the same action.

**Section 6** – This pertains to reinstating the former K-6 Elementary Education Certificate and will allow for much needed staffing flexibility, depending on changes in enrollment, especially for our smaller/poorer communities, and will have no effect on the 112 or 113 early childhood endorsements. A law passed in 2012 that changed the Elementary Education Certificate from what had been a K-6 designation to a grade 1-6 designation. This change has been slowly phased in and went into full effect on July 1, 2017. After having been contacted multiple times by candidates, as well as districts, it is the Department's recommendation to reinstate the K-6 certificate to provide principals with the flexibility to assign teachers to fill a Kindergarten position if the need arises.

**Section 7** – This extends the non-renewable temporary certificate for out of state teachers from 1 year to 3 years. The legislature passed a bill last year allowing the 1 year certificate to be extended up to 2 times, so in an effort to save Department staff time processing renewals, we would like to allow all applicants to have 3 years to complete the requirements to become certified. This section also eliminates the state of residence as a basis for eligibility. The more important factor is whether the preparation program is regionally accredited, not the state in which the program is located. Lastly, this proposal requires for the 2 years of successful teaching experience a candidate needs to have completed in another state, to have happened within the last 10 years. That requirement is consistent with other sections of the certification statutes.

**Section 8** - In order to obtain an initial educator certificate endorsed in early childhood or elementary education, there are requirements for completing “semester hours” (i.e. earning credits) in both Reading and U.S. History. This is a problem for our non-credit bearing Alternative Routes to Certification Programs (ARC), which require the same amount of seat time as the credit bearing programs, but cannot meet the statutory requirement to issue credits. Current law has forced ARC programs to partner with institutions of higher education, which results in candidates having to pay twice, once for the ARC program and again to receive the credits. The Department is proposing to add “or the equivalent” when the statute calls for semester hours.

**Section 9** – This pertains to the Teacher Education and Mentoring Program (TEAM). With the complete elimination of all state funds to support this program, the Board is looking to remove some of the more burdensome requirements of the TEAM statute that effect both the Department and the local and regional boards of education. This will not remove the requirement for beginning teachers to have guided teacher support within the district during their first year in the classroom and meet other benchmarks outlined in the statute, but will provide some mandate relief.

#### **S.B. 186, An Act Concerning School Counselors**

The Department has no issues with “school counselor” being included in this statute as long as it remains in addition to “guidance counselors” as the session progresses. There are currently 68 educators who still hold one or both of the old guidance counselor endorsements, so we greatly appreciate you leaving the language that references them in statute.

