



General Assembly

February Session, 2018

Raised Bill No. 183

LCO No. 1271



Referred to Committee on EDUCATION

Introduced by:
(ED)

**AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE
DEPARTMENT OF EDUCATION.**

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

1 Section 1. Subdivision (1) of subsection (d) of section 10-264l of the
2 2018 supplement to the general statutes is repealed and the following
3 is substituted in lieu thereof (*Effective July 1, 2018*):

4 (d) (1) Grants made pursuant to this section, except those made
5 pursuant to subdivision (7) of subsection (c) of this section and
6 subdivision (2) of this subsection, shall be paid as follows: Seventy per
7 cent not later than September first and the balance not later than May
8 first of each fiscal year. The May first payment shall be adjusted to
9 reflect actual interdistrict magnet school program enrollment as of the
10 preceding October first using the data of record as of the intervening
11 [March first] January thirty-first, if the actual level of enrollment is
12 lower than the projected enrollment stated in the approved grant
13 application. The May first payment shall be further adjusted for the
14 difference between the total grant received by the magnet school
15 operator in the prior fiscal year and the revised total grant amount

16 calculated for the prior fiscal year in cases where the aggregate
17 financial audit submitted by the interdistrict magnet school operator
18 pursuant to subdivision (1) of subsection (n) of this section indicates an
19 overpayment by the department. Notwithstanding the provisions of
20 this section to the contrary, grants made pursuant to this section may
21 be paid to each interdistrict magnet school operator as an aggregate
22 total of the amount that the interdistrict magnet schools operated by
23 each such operator are eligible to receive under this section. Each
24 interdistrict magnet school operator may distribute such aggregate
25 grant among the interdistrict magnet school programs that such
26 operator is operating pursuant to a distribution plan approved by the
27 Commissioner of Education.

28 Sec. 2. Subdivision (10) of subsection (c) of section 10-264l of the
29 2018 supplement to the general statutes is repealed and the following
30 is substituted in lieu thereof (*Effective July 1, 2018*):

31 (10) The amounts of the grants determined pursuant to this
32 subsection shall be proportionately adjusted, if necessary, within
33 available appropriations, and in no case shall [any grant] the total
34 grant paid to an interdistrict magnet school operator pursuant to this
35 section exceed the aggregate total of the reasonable operating [budget]
36 budgets of the interdistrict magnet school [program] programs of such
37 operator, less revenues from other sources.

38 Sec. 3. Subdivision (4) of subsection (a) of section 10-264i of the 2018
39 supplement to the general statutes is repealed and the following is
40 substituted in lieu thereof (*Effective July 1, 2018*):

41 (4) In addition to the grants otherwise provided pursuant to this
42 section, the Commissioner of Education may provide supplemental
43 transportation grants to regional educational service centers for the
44 purposes of transportation to interdistrict magnet schools. Any such
45 grant shall be provided within available appropriations and after the
46 commissioner has reviewed and approved the total interdistrict

47 magnet school transportation budget for a regional educational service
48 center, including all revenue and expenditure estimates. For the fiscal
49 years ending June 30, 2013, to June 30, [2017] 2018, inclusive, in
50 addition to the grants otherwise provided pursuant to this section, the
51 Commissioner of Education may provide supplemental transportation
52 to interdistrict magnet schools that assist the state in meeting [the goals
53 of the 2008 stipulation and order for Milo Sheff, et al. v. William A.
54 O'Neill, et al., as extended, or the goals of the 2013 stipulation and
55 order for Milo Sheff, et al. v. William A. O'Neill, et al., as extended, and
56 for transportation provided by EASTCONN to interdistrict magnet
57 schools] its obligations pursuant to the decision in Sheff v. O'Neill, 238
58 Conn. 1 (1996), or any related stipulation or order in effect, as
59 determined by the commissioner. Any such grant shall be provided
60 within available appropriations and upon a comprehensive financial
61 review, by an auditor selected by the Commissioner of Education, the
62 costs of such review may be paid from funds that are part of the
63 supplemental transportation grant. Any such grant shall be paid as
64 follows: For the fiscal year ending June 30, 2013, up to fifty per cent of
65 the grant on or before June 30, 2013, and the balance on or before
66 September 1, 2013, upon completion of the comprehensive financial
67 review; for the fiscal year ending June 30, 2014, up to fifty per cent of
68 the grant on or before June 30, 2014, and the balance on or before
69 September 1, 2014, upon completion of the comprehensive financial
70 review; for the fiscal year ending June 30, 2015, up to fifty per cent of
71 the grant on or before June 30, 2015, and the balance on or before
72 September 1, 2015, upon completion of the comprehensive financial
73 review; [and] for the fiscal year ending June 30, 2016, up to fifty per
74 cent of the grant on or before June 30, 2016, and the balance on or
75 before September 1, 2016, upon completion of the comprehensive
76 financial review; [and] for the fiscal year ending June 30, 2017, up to
77 seventy per cent of the grant on or before June 30, 2017, and the
78 balance on or before May 30, 2018, upon completion of the
79 comprehensive financial review; and for the fiscal year ending June 30,
80 2018, up to seventy per cent of the grant on or before June 30, 2018, and

81 the balance on or before May 30, 2019, upon completion of the
82 comprehensive financial review.

83 Sec. 4. Section 10-236b of the 2018 supplement to the general statutes
84 is repealed and the following is substituted in lieu thereof (*Effective July*
85 *1, 2018*):

86 (a) For purposes of this section:

87 (1) "Life-threatening physical restraint" means any physical restraint
88 or hold of a person that (A) restricts the flow of air into a person's
89 lungs, whether by chest compression or any other means, or (B)
90 immobilizes or reduces the free movement of a person's arms, legs or
91 head while the person is in the prone position;

92 (2) "Psychopharmacologic agent" means any medication that affects
93 the central nervous system, influencing thinking, emotion or behavior;

94 (3) "Physical restraint" means any mechanical or personal restriction
95 that immobilizes or reduces the free movement of a person's arms, legs
96 or head, including, but not limited to, carrying or forcibly moving a
97 person from one location to another. The term does not include: (A)
98 Briefly holding a person in order to calm or comfort the person; (B)
99 restraint involving the minimum contact necessary to safely escort a
100 person from one area to another; (C) medical devices, including, but
101 not limited to, supports prescribed by a health care provider to achieve
102 proper body position or balance; (D) helmets or other protective gear
103 used to protect a person from injuries due to a fall; [or] (E) helmets,
104 mitts and similar devices used to prevent self-injury when the device is
105 (i) part of a documented treatment plan or individualized education
106 program pursuant to section 10-76d, or (ii) prescribed or
107 recommended by a medical professional, as defined in section 38a-976,
108 and is the least restrictive means available to prevent such self-injury;
109 or (F) an exclusionary time out;

110 (4) "School employee" [shall have] has the same meaning as

111 provided in subsection (b) of section 10-221o;

112 (5) "Seclusion" means the involuntary confinement of a student in a
113 room [, whether alone or with supervision, in a manner that prevents
114 the student from leaving; and] from which the student is physically
115 prevented from leaving. "Seclusion" does not include an exclusionary
116 time out;

117 (6) "Student" means a child (A) enrolled in grades kindergarten to
118 twelve, inclusive, in a public school under the jurisdiction of a local or
119 regional board of education, (B) receiving special education and
120 related services in an institution or facility operating under contract
121 with a local or regional board of education pursuant to subsection (d)
122 of section 10-76d, (C) enrolled in a program or school administered by
123 a regional education service center established pursuant to section 10-
124 66a, or (D) receiving special education and related services from an
125 approved private special education program, but shall not include any
126 child receiving educational services from (i) Unified School District #2,
127 established pursuant to section 17a-37, or (ii) the Department of Mental
128 Health and Addiction Services; and

129 (7) "Exclusionary time out" means a temporary, monitored
130 separation of a student in a non-locked setting away from an ongoing
131 activity for the purpose of calming or deescalating such student's
132 behavior.

133 (b) No school employee shall use a physical restraint on a student
134 except as an emergency intervention to prevent immediate or
135 imminent injury to the student or to others, provided the restraint is
136 not used for discipline or convenience and is not used as a substitute
137 for a less restrictive alternative.

138 (c) No school employee shall use a life-threatening physical restraint
139 on a student. This section shall not be construed as limiting any
140 defense to criminal prosecution for the use of deadly physical force
141 that may be available under sections 53a-18 to 53a-22, inclusive.

142 (d) Seclusion shall not be utilized as a planned intervention in a
143 student's treatment or educational plan. No school employee shall
144 place a student in seclusion except as an emergency intervention to
145 prevent immediate or imminent injury to the student or to others,
146 provided the seclusion is not used for discipline or convenience and is
147 not used as a substitute for a less restrictive alternative. No student
148 shall be placed in seclusion unless (1) such student is monitored by a
149 school employee during the period of such student's seclusion
150 pursuant to subsection (m) of this section, and (2) the area in which
151 such student is secluded is equipped with a window or other fixture
152 allowing such student a clear line of sight beyond the area of seclusion.

153 (e) No school employee may use a psychopharmacologic agent on a
154 student without that student's consent except (1) as an emergency
155 intervention to prevent immediate or imminent injury to the student or
156 to others, or (2) as an integral part of the student's established medical
157 or behavioral support or educational plan, as developed consistent
158 with section 17a-543 or, if no such plan has been developed, as part of
159 a licensed practitioner's initial orders. The use of psychopharmacologic
160 agents, alone or in combination, may be used only in doses that are
161 therapeutically appropriate and not as a substitute for other
162 appropriate treatment.

163 (f) If any instance of physical restraint or seclusion of a student
164 otherwise permissible under subsection (b) or (d) of this section
165 exceeds fifteen minutes, (1) an administrator, as defined in section 10-
166 144e, or such administrator's designee, (2) a school health or mental
167 health personnel, as defined in subsection (a) of section 10-212b, or (3)
168 a board certified behavioral analyst, who has received training in the
169 use of physical restraint and seclusion pursuant to subsection (o) of
170 this section, shall determine whether continued physical restraint or
171 seclusion is necessary to prevent immediate or imminent injury to the
172 student or to others. Upon a determination that such continued
173 physical restraint or seclusion is necessary, such individual shall make
174 a new determination every thirty minutes thereafter regarding

175 whether such physical restraint or seclusion is necessary to prevent
176 immediate or imminent injury to the student or to others.

177 (g) In the event that physical restraint or seclusion is used on a
178 student four or more times within twenty school days:

179 (1) An administrator, one or more of such student's teachers, a
180 parent or guardian of such student and, if any, a mental health
181 professional, as defined in section 10-76t, shall convene for the purpose
182 of (A) conducting or revising a behavioral assessment of the student,
183 (B) creating or revising any applicable behavioral intervention plan,
184 and (C) determining whether such student may require special
185 education pursuant to section 10-76ff; or

186 (2) If such student is a child requiring special education, as
187 described in subparagraph (A) of subdivision (5) of section 10-76a, or a
188 child being evaluated for eligibility for special education pursuant to
189 section 10-76d and awaiting a determination, such student's planning
190 and placement team shall convene for the purpose of (A) conducting
191 or revising a behavioral assessment of the student, and (B) creating or
192 revising any applicable behavioral intervention plan, including, but
193 not limited to, such student's individualized education plan.

194 (h) Each local or regional board of education shall notify a parent or
195 guardian of a student who is placed in physical restraint or seclusion
196 not later than twenty-four hours after the student was placed in
197 physical restraint or seclusion and shall make a reasonable effort to
198 provide such notification immediately after such physical restraint or
199 seclusion is initiated.

200 (i) No school employee shall use a physical restraint on a student or
201 place a student in seclusion unless such school employee has received
202 training on the proper means for performing such physical restraint or
203 seclusion pursuant to subsection (o) of this section.

204 (j) (1) On and after July 1, 2016, each local or regional board of

205 education, and each institution or facility operating under contract
206 with a local or regional board of education pursuant to subsection (d)
207 of section 10-76d that provides special education for children,
208 including any approved private special education program, shall (A)
209 record each instance of the use of physical restraint or seclusion on a
210 student, (B) specify whether the use of seclusion was in accordance
211 with an individualized education program, (C) specify the nature of
212 the emergency that necessitated the use of such physical restraint or
213 seclusion, and (D) include such information in an annual compilation
214 on its use of such restraint and seclusion on students. Each local or
215 regional board of education and such institutions or facilities operating
216 under contract with a local or regional board of education pursuant to
217 subsection (d) of section 10-76d that provides special education for
218 children, including any approved private special education program
219 shall provide such annual compilation to the Department of Education
220 for the purposes of the pilot program established pursuant to
221 subdivision (2) of this subsection to examine incidents of physical
222 restraint and seclusion in schools and to the State Board of Education
223 for the purposes of subsection (k) of this section. Local or regional
224 boards of education and such institutions and facilities that provide
225 special education for children shall not be required to report instances
226 of in-school suspensions, as defined in subsection (c) of section 10-
227 233a.

228 (2) The Department of Education shall establish a pilot program for
229 the school year commencing July 1, 2015. Such pilot program shall be
230 implemented in various districts, including, but not limited to, an
231 alliance district, a regional school district and a regional education
232 service center. Under the pilot program, the Department of Education
233 shall examine incidents of physical restraint and seclusion in schools
234 and shall compile and analyze data regarding such incidents to enable
235 the department to better understand and respond to incidents of
236 physical restraint and seclusion on students in the state.

237 (k) The State Board of Education shall review the annual

238 compilation of each local or regional board of education, and each
239 institution or facility operating under contract with a local or regional
240 board of education pursuant to subsection (d) of section 10-76d that
241 provides special education for children, including any approved
242 private special education program, and shall produce an annual
243 summary report specifying (1) the frequency of use of physical
244 restraint or seclusion on students, (2) whether any student subjected to
245 such restraint or seclusion was a special education student, and (3) if
246 any such student was a special education student, whether the use of
247 such seclusion was in accordance with an individualized education
248 program or whether the use of such seclusion was an emergency
249 intervention to prevent immediate or imminent injury to the student or
250 to others. Such report shall be submitted not later than January 15,
251 2017, and annually thereafter, to the joint standing committees of the
252 General Assembly having cognizance of matters relating to children
253 and education for inclusion in the annual report card prepared
254 pursuant to section 2-53m.

255 (l) Any use of physical restraint or seclusion on a student shall be
256 documented in the student's educational record. The documentation
257 shall include (1) the nature of the emergency and what other steps,
258 including attempts at verbal deescalation, were taken to prevent the
259 emergency from arising if there were indications that such an
260 emergency was likely to arise, and (2) a detailed description of the
261 nature of the restraint or seclusion, the duration of such restraint or
262 seclusion and the effect of such restraint or seclusion on the student's
263 established educational plan.

264 (m) Any student who is physically restrained shall be continually
265 monitored by a school employee. Any student who is involuntarily
266 placed in seclusion shall be frequently monitored by a school
267 employee. Each student so restrained or in seclusion shall be regularly
268 evaluated by a school employee for indications of physical distress.
269 The school employee conducting the evaluation shall enter each
270 evaluation in the student's educational record. For purposes of this

271 subsection, "monitor" means (1) direct observation, or (2) observation
272 by way of video monitoring within physical proximity sufficient to
273 provide aid as may be needed.

274 (n) If the use of such restraint or seclusion results in physical injury
275 to the student, the local or regional board of education, and each
276 institution or facility operating under contract with a local or regional
277 board of education pursuant to subsection (d) of section 10-76d that
278 provides special education for children, including any approved
279 private special education program, shall report the incident to the State
280 Board of Education, which shall include such incident in the report
281 required pursuant to subsection (k) of this section. The State Board of
282 Education shall report any incidence of serious injury or death to the
283 nonprofit entity designated by the Governor in accordance with
284 section 46a-10b to serve as the Connecticut protection and advocacy
285 system, as required by the Developmental Disabilities Assistance and
286 Bill of Rights Act of 2000, 42 USC 15041, et seq., as amended from time
287 to time, and any regulations promulgated thereunder, and as required
288 by the Protection and Advocacy for Individuals with Mental Illness
289 Act, 42 USC 10801 et seq., as amended from time to time, and any
290 regulations promulgated thereunder, and, if appropriate, to the Child
291 Advocate of the Office of the Child Advocate.

292 (o) (1) Each local or regional board of education shall provide
293 training regarding the physical restraint and seclusion of students to
294 the members of the crisis intervention team for each school in the
295 district, identified pursuant to subdivision (2) of this subsection. A
296 local or regional board of education may provide such training to any
297 teacher, as defined in section 10-144d, administrator, as defined in
298 section 10-144e, school paraprofessional or other school employee, as
299 defined in section 10-222d, designated by the school principal and who
300 has direct contact with students. Such training shall be provided
301 during the school year commencing July 1, 2017, and each school year
302 thereafter, and shall include, but not be limited to:

303 (A) An overview of the relevant laws and regulations regarding the
304 use of physical restraint and seclusion on students and the proper uses
305 of physical restraint and seclusion. For the school year commencing
306 July 1, 2017, and annually thereafter, such overview shall be provided
307 by the Department of Education, in a manner and form as prescribed
308 by the Commissioner of Education;

309 (B) The creation of a plan by which each local and regional board of
310 education shall provide training regarding the prevention of incidents
311 requiring physical restraint or seclusion of students. Such plan shall be
312 implemented not later than July 1, 2018. The Department of Education
313 may, within available appropriations, provide ongoing monitoring
314 and support to local or regional boards of education regarding the
315 formulation and implementation of the plan; and

316 (C) The creation of a plan by which each local or regional board of
317 education shall provide training regarding the proper means of
318 physical restraint or seclusion of a student, including, but not limited
319 to, (i) various types of physical restraint and seclusion; (ii) the
320 differences between life-threatening physical restraint and other
321 varying levels of physical restraint; (iii) the differences between
322 permissible physical restraint and pain compliance techniques; and (iv)
323 monitoring methods to prevent harm to a student who is physically
324 restrained or in seclusion. Such plan shall be implemented not later
325 than July 1, 2018;

326 (2) For the school year commencing July 1, 2017, and each school
327 year thereafter, each local and regional board of education shall
328 require each school in the district to identify a crisis intervention team
329 consisting of any teacher, as defined in section 10-144d, administrator,
330 as defined in section 10-144e, school paraprofessional or other school
331 employee, as defined in section 10-222d, designated by the school
332 principal and who has direct contact with students. Such teams shall
333 respond to any incident in which the use of physical restraint or
334 seclusion may be necessary as an emergency intervention to prevent

335 immediate or imminent injury to a student or to others. Each member
336 of the crisis intervention team shall be recertified in the use of physical
337 restraint and seclusion pursuant to subparagraph (C) of subdivision (1)
338 of this subsection or chapter 814e on an annual basis. Each local and
339 regional board of education shall maintain a list of the members of the
340 crisis intervention team for each school.

341 (p) Each local or regional board of education shall develop policies
342 and procedures that establish monitoring and internal reporting of the
343 use of physical restraint and seclusion on students and shall make such
344 policies and procedures available on such local or regional board of
345 education's Internet web site and in such local or regional board of
346 education's procedures manual.

347 (q) Nothing in this section shall be construed as limiting the justified
348 use of physical force by a local, state or federal law enforcement official
349 while in the performance of such official's duties.

350 (r) The State Board of Education shall adopt or revise regulations, in
351 accordance with the provisions of chapter 54, concerning the use of
352 physical restraint and seclusion pursuant to this section. Not later than
353 sixty days after the adoption or revision of such regulations, each local
354 or regional board of education shall update any applicable policies and
355 procedures regarding the physical restraint and seclusion of students
356 and shall make such updated policies and procedures available in a
357 manner consistent with the provisions of subsection (p) of this section.

358 (s) Not later than July 1, 2018, each local or regional board of
359 education shall establish a policy regarding the use of an exclusionary
360 time out. Such policy shall include, but need not be limited to, a
361 requirement that (1) at least one school employee remain within close
362 enough proximity to the student placed in an exclusionary time out
363 that such student and school employee are able to communicate
364 verbally, (2) the exclusionary time out period terminate as soon as
365 possible, and (3) if such student is a child requiring special education,

366 as defined in section 10-76a, or a child being evaluated for special
367 education, pursuant to section 10-76d, and awaiting a determination,
368 and the interventions or strategies are unsuccessful in addressing such
369 student's problematic behavior, such student's planning and
370 placement team convene as soon as is practicable to determine
371 alternative interventions or strategies.

372 Sec. 5. Subsection (i) of section 10-145b of the 2018 supplement to
373 the general statutes is repealed and the following is substituted in lieu
374 thereof (*Effective July 1, 2018*):

375 (i) (1) The State Board of Education may take one or more of the
376 following actions, in accordance with the provisions of subdivision (2)
377 of this subsection, against a person holding a certificate, authorization
378 or permit based on conduct that occurred prior or subsequent to the
379 issuance of such certificate, authorization or permit:

380 (A) Revoke the holder's certificate, authorization or permit;

381 (B) Suspend the holder's certificate, authorization or permit; or

382 (C) Place the holder's certificate on probation subject to conditions
383 determined by the Commissioner of Education.

384 (2) The State Board of Education may [revoke any] take any of the
385 actions described in subparagraphs (A) to (C), inclusive, of subdivision
386 (1) of this subsection with respect to a holder's certificate, authorization
387 or permit issued pursuant to sections 10-144o to 10-149, inclusive, for
388 any of the following reasons: (A) The holder of the certificate,
389 authorization or permit obtained such certificate, authorization or
390 permit through fraud or misrepresentation of a material fact; (B) the
391 holder has persistently neglected to perform the duties for which the
392 certificate, authorization or permit was granted; (C) the holder is
393 professionally unfit to perform the duties for which the certificate,
394 authorization or permit was granted; (D) the holder is convicted in a
395 court of law of a crime involving moral turpitude or of any other crime

396 of such nature that in the opinion of the board continued holding of a
397 certificate, authorization or permit by the person would impair the
398 standing of certificates, authorizations or permits issued by the board;
399 or (E) other due and sufficient cause. The State Board of Education
400 [shall] may revoke any certificate, authorization or permit issued
401 pursuant to said sections if the holder is found to have intentionally
402 disclosed specific questions or answers to students or otherwise
403 improperly breached the security of any administration of a mastery
404 examination, pursuant to section 10-14n. In any revocation proceeding
405 pursuant to this section, the State Board of Education shall have the
406 burden of establishing the reason for such revocation by a
407 preponderance of the evidence. Revocation shall be in accordance with
408 procedures established by the State Board of Education pursuant to
409 chapter 54.

410 [(2)] (3) When the Commissioner of Education is notified, pursuant
411 to section 10-149a or 17a-101i, that a person holding a certificate,
412 authorization or permit issued by the State Board of Education under
413 the provisions of sections 10-144o to 10-149, inclusive, has been
414 convicted of (A) a capital felony, under the provisions of section 53a-
415 54b in effect prior to April 25, 2012, (B) arson murder, pursuant to
416 section 53a-54d, (C) a class A felony, (D) a class B felony, except a
417 violation of section 53a-122, 53a-252 or 53a-291, (E) a crime involving
418 an act of child abuse or neglect as described in section 46b-120, or (F) a
419 violation of section 17a-101a, 53-21, 53-37a, 53a-60b, 53a-60c, 53a-71,
420 53a-72a, 53a-72b, 53a-73a, 53a-88, 53a-90a, 53a-99, 53a-103a, 53a-181c,
421 53a-191, 53a-196, 53a-196c, 53a-216, 53a-217b or 21a-278 or subsection
422 (a) of section 21a-277, any certificate, permit or authorization issued by
423 the State Board of Education and held by such person shall be deemed
424 revoked and the commissioner shall notify such person of such
425 revocation, provided such person may request reconsideration
426 pursuant to regulations adopted by the State Board of Education, in
427 accordance with the provisions of chapter 54. As part of such
428 reconsideration process, the board shall make the initial determination

429 as to whether to uphold or overturn the revocation. The commissioner
430 shall make the final determination as to whether to uphold or overturn
431 the revocation.

432 ~~[(3)]~~ (4) The State Board of Education may deny an application for
433 the initial issuance or renewal of a certificate, authorization or permit
434 for any of the following reasons: (A) The applicant seeks to obtain a
435 certificate, authorization or permit through fraud or misrepresentation
436 of a material fact; (B) the applicant has been convicted in a court of law
437 of a crime involving moral turpitude or of any other crime of such
438 nature that in the opinion of the board issuance of a certificate,
439 authorization or permit would impair the standing of certificates,
440 authorizations or permits issued by the board; or (C) other due and
441 sufficient cause. Any applicant denied a certificate, authorization or
442 permit shall be notified in writing of the reasons for denial. Any
443 applicant denied a certificate, authorization or permit may request a
444 review of such denial by the State Board of Education.

445 ~~[(4)]~~ (5) A person whose certificate, authorization or permit [or
446 authorization] has been denied, revoked or suspended may not be
447 employed in a public school during the period of denial, revocation or
448 suspension. A person whose certificate, authorization or permit has
449 been placed on probation may be employed in a public school during
450 the period of probation in accordance with the terms of such
451 probation.

452 (6) The State Board of Education may take any of the actions
453 described in subparagraphs (A) to (C), inclusive, of subdivision (1) of
454 this subsection, with respect to an applicant's or holder's certificate,
455 authorization or permit as a result of the applicant or holder having
456 been subject to disciplinary action for any of the reasons described in
457 subdivision (2) of this subsection by a duly authorized professional
458 disciplinary agency of any state, a federal governmental agency, the
459 District of Columbia, a United States possession or territory or a
460 foreign jurisdiction. The State Board of Education may rely upon the

461 findings and conclusions made by a duly authorized professional
462 disciplinary agency of any state, a federal governmental agency, the
463 District of Columbia, a United States possession or territory or foreign
464 jurisdiction in taking such action.

465 [(5)] (7) Any local or regional board of education or private special
466 education facility approved by the commissioner shall report to the
467 commissioner when an employee, who holds a certificate, permit or
468 authorization, is dismissed pursuant to subdivision (3) of subsection
469 (d) of section 10-151.

470 (8) The State Board of Education may, pursuant to chapter 54, adopt
471 or revise regulations relating to the procedure by which the State
472 Board of Education may take any of the actions described in
473 subparagraphs (A) to (C), inclusive, of subdivision (1) of this
474 subsection.

475 Sec. 6. Subsection (f) of section 10-145d of the 2018 supplement to
476 the general statutes is repealed and the following is substituted in lieu
477 thereof (*Effective July 1, 2018*):

478 (f) An endorsement issued prior to July 1, [2013] 2018, to teach
479 elementary education grades one to six, inclusive, shall be valid for
480 grades kindergarten to six, inclusive, and for such an endorsement
481 issued on or after July 1, [2013] 2018, the endorsement shall be valid for
482 grades [one] kindergarten to six, inclusive. [, except such an
483 endorsement issued between July 1, 2013, and July 1, 2017, to any
484 student who was admitted to and successfully completes a teacher
485 preparation program, as defined in section 10-10a, in the certification
486 endorsement area of elementary education on or before June 30, 2017,
487 shall be valid for grades kindergarten to six, inclusive.] An
488 endorsement to teach comprehensive special education grades one to
489 twelve, inclusive, shall be valid for grades kindergarten to twelve,
490 inclusive, provided, on and after September 1, 2013, any (1) certified
491 employee applying for a comprehensive special education

492 endorsement, or (2) applicant for an initial, provisional or professional
493 educator certificate and a comprehensive special education
494 endorsement shall achieve a satisfactory score on the reading
495 instruction examination approved by the State Board of Education on
496 April 1, 2009, or a comparable reading instruction examination with
497 minimum standards that are equivalent to the examination approved
498 by the State Board of Education on April 1, 2009.

499 Sec. 7. Subsection (c) of section 10-145f of the 2018 supplement to the
500 general statutes is repealed and the following is substituted in lieu
501 thereof (*Effective July 1, 2018*):

502 (c) Notwithstanding the provisions of this section and section 10-
503 145b, as amended by this act, the following persons shall be eligible for
504 a nonrenewable three-year temporary [certificate] permit: (1) A
505 [person who has resided in a state other than Connecticut during the
506 year immediately preceding application for certification in Connecticut
507 and meets the requirements for certification, excluding successful
508 completion of the competency examination and subject matter
509 assessment, if such person holds current teacher certification in a state
510 other than Connecticut and has completed at least one year of
511 successful teaching in another state in a public school or a nonpublic
512 school approved by the appropriate state board of education, (2) a]
513 person who has graduated from a teacher preparation program, as
514 defined in section 10-10a, at a regionally accredited college or
515 university outside of the state [and regionally accredited,] and meets
516 the requirements for certification, [excluding] except successful
517 completion of the [competency examination and subject matter
518 assessment, (3)] testing requirements of this section, (2) a person hired
519 by a charter school after July first in any school year for a teaching
520 position that school year, provided the person hired after said date
521 could reasonably be expected to complete the requirements prescribed
522 in subparagraphs (B) and (C) of subdivision (1) of subsection (c) of
523 section 10-145b, and [(4)] (3) a person who has taught under or held an
524 appropriate certificate issued by another state, territory or possession

525 of the United States or the District of Columbia or the Commonwealth
526 of Puerto Rico for two or more years during the ten years immediately
527 preceding the date of application for the nonrenewable three-year
528 temporary certificate. The nonrenewable three-year temporary
529 [certificate] permit shall be valid for [one year] three years from the
530 date it is issued. [, except the State Board of Education may extend a
531 temporary certificate for an additional two years (A) in the certification
532 endorsement area of bilingual education issued under this subsection
533 to a person who is employed by a local or regional board of education
534 and providing instruction as part of a program of bilingual instruction,
535 as defined in section 10-17e, or (B) to a person described in subdivision
536 (4) of this subsection.]

537 Sec. 8. Subsection (a) of section 10-145d of the 2018 supplement to
538 the general statutes is repealed and the following is substituted in lieu
539 thereof (*Effective July 1, 2018*):

540 (a) The State Board of Education shall, pursuant to chapter 54, adopt
541 such regulations as may be necessary to carry out the provisions of
542 sections 10-144o, 10-145a to 10-145d, inclusive, as amended by this act,
543 10-145f, as amended by this act, and 10-146b. Such regulations shall
544 provide for (1) the establishment of an appeal panel to review any
545 decision to deny the issuance of a certificate authorized under section
546 10-145b, as amended by this act; (2) the establishment of requirements
547 for subject area endorsements; (3) the extension of the time to complete
548 requirements for certificates under section 10-145b, as amended by this
549 act; (4) the establishment of requirements for administrator and
550 supervisor certificates; (5) the composition of, and the procedures to be
551 utilized by, the assessment teams in implementing the beginning
552 educator program; (6) procedures and criteria for issuing certificates to
553 persons whose certificates have lapsed or persons with non-public-
554 school or out-of-state teaching experience; (7) the criteria for defining a
555 major course of study; (8) a requirement that on and after July 1, 1993,
556 in order to be eligible to obtain an initial educator certificate with an
557 elementary endorsement, each person be required to (A) complete a

558 survey course in United States history comprised of not fewer than
559 three semester hours, or its equivalent, or (B) achieve a satisfactory
560 evaluation on the appropriate State Board of Education approved
561 subject area assessment; and (9) a requirement that on and after July 1,
562 2004, in order to be eligible to obtain an initial educator certificate with
563 an early childhood nursery through grade three or an elementary
564 endorsement, each person be required to complete a comprehensive
565 reading instruction course comprised of not less than six semester
566 hours, or its equivalent. Such regulations may provide for exceptions
567 to accommodate specific certification endorsement areas.

568 Sec. 9. Section 10-145o of the general statutes is repealed and the
569 following is substituted in lieu thereof (*Effective July 1, 2018*):

570 (a) The Department of Education, with cooperation from local and
571 regional school districts, regional educational service centers,
572 representatives of the exclusive bargaining representative for certified
573 employees chosen pursuant to section 10-153b, and public institutions
574 of higher education, shall establish and administer a teacher education
575 and mentoring program that includes guided teacher support and
576 coaching and the completion of instructional modules, pursuant to
577 subsection (e) of this section, for beginning teachers. The program shall
578 be aligned with the principles of teaching approved by the State Board
579 of Education. As part of the program, each beginning teacher shall
580 develop a two-year individualized mentoring plan.

581 (b) In administering the teacher education and mentoring program
582 under this section:

583 (1) The Department of Education shall (A) develop a statement for
584 the teacher education and mentoring program that includes the state's
585 goals for state-wide teacher induction, mentoring, professional
586 development and evaluation, using state-wide data and national
587 research findings; (B) distribute state funding to local and regional
588 school districts to assist with implementation of district teacher

589 education and mentoring plans; (C) [manage and make accessible to
590 local and regional school districts the data systems needed to
591 document that teachers and mentors have satisfactorily completed the
592 instructional modules; (D)] monitor district implementation of the
593 teacher education and mentoring program to ensure fidelity to the
594 program's plan and goals; [, including random district audits and
595 observations by state personnel; (E)] (D) issue provisional educator
596 certificates to teachers that have satisfactorily completed the induction
597 program; [(F)] (E) develop guidelines for the creation and approval of
598 district teacher education and mentoring plans, based on input and
599 recommendations from stakeholder groups; and [(G)] (F) oversee an
600 outside evaluation of the teacher education and mentoring program
601 every three to five years;

602 (2) The Department of Education, in collaboration with
603 EASTCONN, the RESC Alliance, institutions of higher education and
604 other stakeholders, shall (A) develop instructional modules for
605 beginning teachers to complete; (B) train mentors to carry out
606 responsibilities at the district level; (C) [provide professional
607 development and training for regional mentors working at the district
608 level; (D)] provide professional development and training for district
609 teams and principals in managing, designing and administering
610 teacher education and mentoring plans; and [(E)] (D) provide technical
611 assistance to districts based on district size and needs;

612 (3) The Department of Education and public institutions of higher
613 education shall (A) work with regional educational service centers to
614 align modules with [National Council for Accreditation of Teacher
615 Education] Council for the Accreditation of Educator Preparation
616 approved preservice teacher preparation programs; and (B) [develop
617 and deliver regional strategies for supporting mentor assistance
618 programs; and (C)] train cooperating teachers to work with teacher
619 preparation candidates during student teaching and internships;

620 (4) Local and regional boards of education shall (A) develop a three-

621 year teacher education and mentoring plan in accordance with
622 subsection (c) of this section; (B) form a local or regional coordinating
623 committee or committees, with representatives of the exclusive
624 bargaining representative for certified employees chosen pursuant to
625 section 10-153b, based on district size, to guide the activities outlined
626 in the three-year teacher education and mentoring plan; (C) [develop
627 an annual budget to support the activities detailed in the three-year
628 teacher education and mentoring plan and submit such budget
629 annually to the Department of Education to receive state assistance for
630 such activities; (D)] recruit and pair mentors from within and outside
631 of the district to work with beginning teachers; [(E)] (D) ensure
632 substitute teacher coverage for mentors and beginning teachers to
633 participate in the activities and modules required in the three-year
634 teacher education and mentoring plan; [(F)] (E) communicate regularly
635 with beginning teachers about training opportunities, state-wide
636 workshops and support group work; [(G)] (F) coordinate the teacher
637 education and mentoring program and teacher evaluation and
638 supervision program, provided they are kept separate; [(H) verify,
639 through the local or regional coordinating committee, that the work of
640 beginning teachers and instructional modules has been successfully
641 completed to warrant provisional certification; (I) when a beginning
642 teacher has satisfactorily completed all modules, attest to that fact and
643 that the teacher is eligible for provisional certification; and (J) ensure
644 that schools under the board's jurisdiction (i) administer the state's on-
645 line needs assessment to establish the goals and priorities of each
646 beginning teacher as such teacher develops an individualized
647 mentoring plan, (ii)] and (G) review and approve beginning teachers'
648 individualized, two-year mentoring plan, [(iii)] organize mentoring
649 opportunities by grade, department or specialty area, [(iv)] take steps
650 to make time available, as needed, to help teachers achieve the goals of
651 their mentoring plans [, (v)] and coordinate the activities and
652 schedules of mentors and beginning teachers to ensure faithful
653 implementation of the district plan. [, and (vi) submit annual report on
654 mentor-teacher activities to the district coordinating committee for

655 review and approval.]

656 (c) Local and regional school districts shall develop a three-year
657 teacher education and mentoring plan that incorporates the
658 Department of Education's goals and instructional priorities, as well as
659 any local considerations based on community and student needs. Such
660 plan shall include: (1) Background information about the district that
661 includes a community profile, district profile, student profile, faculty
662 profile, mentor profile and beginning teacher profile; (2) a statement of
663 three-year objectives related to the state's goal statement for the teacher
664 education and mentoring program; (3) a general timeline for district
665 coordinating teams to meet with central office personnel, principals,
666 mentors or district facilitators; (4) a description of the process used to
667 select mentors and assign them to beginning teachers, based on subject
668 areas, levels and need; and (5) a description of the process used to train
669 and update mentors in best practices and essential knowledge. [; (6) a
670 timeline of district-wide mentoring days for observations, individual
671 discussion, small group meetings, professional development days,
672 regional educational service center training sessions and beginning
673 teachers' completion of tasks associated with each module; (7) a
674 description of the process used to collect, review and coordinate
675 teachers' mentoring plans; (8) a description of the process to resolve
676 internal disputes over the district's recommendations to the state
677 concerning which individuals have satisfactorily completed the
678 instructional modules; and (9) a description of the resources and
679 budget needed to carry out the activities described in the plan.]

680 (d) Local and regional boards of education shall not consider a
681 teacher's completion of the teacher education and mentoring program
682 as a factor in its decision to continue a teacher's employment in the
683 district.

684 (e) (1) Beginning teachers shall satisfactorily complete instructional
685 modules in the following areas: (A) Classroom management and
686 climate, which shall include training regarding the prevention,

687 identification and response to school bullying, as defined in section 10-
688 222d, and the prevention of and response to youth suicide; (B) lesson
689 planning and unit design; (C) delivering instruction; (D) assessing
690 student learning; and (E) professional practice. Beginning teachers
691 shall complete two modules in their first year in the program and three
692 modules in their second year in the program, except as otherwise
693 provided by the Commissioner of Education, or as provided for in
694 subsection (h) of this section.

695 (2) Beginning teachers shall work with their mentors in developing
696 a planned set of activities, based on the topics offered within each
697 instructional module. [, to complete each such instructional module,
698 and such activities shall be reflected in the beginning teacher needs
699 assessment.] Such activities may be presented in person by mentors,
700 offered in workshops, through on-line courses or through the
701 completion of a set of readings. For each instructional module,
702 beginning teachers shall [(A)] apply the knowledge gained through
703 such activities in a lesson, project or demonstration of how the activity
704 impacted student learning. [, and (B) submit a reflection paper or
705 project, to be signed by the mentor, that summarizes, describes or
706 analyzes what has been learned by the beginning teacher and their
707 students throughout the module and how the learning contributed to
708 the development of such beginning teacher. Such reflection paper or
709 project shall be forwarded to the district's coordinating committee for
710 approval.]

711 [(3) Upon successful completion of the instructional modules and
712 final review by the coordinating committee, the superintendent of the
713 school district shall submit the names of the beginning teachers eligible
714 for receipt of a provisional educator certificate to the State Board of
715 Education.]

716 (f) Local and regional boards of education, in cooperation with the
717 Department of Education, institutions of higher education and regional
718 educational service centers, shall recruit mentors for their teacher

719 education and mentoring program. Those persons eligible to serve as
720 mentors for such programs shall hold a provisional educator certificate
721 or a professional educator certificate, [or a distinguished educator
722 designation pursuant to section 10-145s,] and have at least three years
723 teaching experience in Connecticut, including at least one year of
724 experience in the district in which they are presently employed.
725 Retired certified teachers may also serve as mentors, provided they
726 successfully complete a mentor training program offered by a regional
727 educational service center. Each mentor [shall] may be assigned two
728 beginning teachers, except that in certain circumstances, a mentor may
729 be assigned three beginning teachers. [Such assignment shall be
730 reflected in each district's three-year plan.] Each mentor shall provide
731 fifty contact hours to each beginning teacher during the program, with
732 the expectation of approximately ten contact hours per module.
733 Mentors shall receive a minimum of a five-hundred-dollar annual
734 stipend for each beginning teacher assigned to such mentor from the
735 local or regional board of education for participation in the teacher
736 education and mentoring program. Such stipend shall be included in a
737 person's total earnings for purposes of retirement.

738 (g) Notwithstanding the provisions of subsection (h) of this section,
739 for the school year commencing July 1, 2010, beginning teachers who
740 hold an initial educator certificate and have not participated in any
741 beginning educator program as of July 1, 2009, shall participate in the
742 teacher education and mentoring programs as follows:

743 (1) Beginning teachers in the following subject areas and
744 endorsement areas shall be required to successfully complete the
745 teacher education and mentoring program in full: Elementary
746 education, English and language arts, mathematics, science, social
747 studies, special education, bilingual education, music, physical
748 education, visual arts, world languages and teachers of English as a
749 second language.

750 (2) Beginning teachers in any other endorsement area and whose

751 primary function is providing direct instruction to students shall be
752 required to successfully complete one year of mentorship and two
753 instructional modules.

754 (h) Teachers who began in a beginning educator program, pursuant
755 to section 10-145b of the general statutes, revision of 1958, revised to
756 January 1, 2009, but have not completed that program as of July 1,
757 2009, and teach during the 2009-2010 school year, shall be granted a
758 one-year extension of their initial educator certificates, if necessary,
759 and shall participate in the teacher education and mentoring program,
760 pursuant to this section, through the completion of two instructional
761 modules during the 2010-2011 school year. Such teachers shall exit the
762 program at the end of the 2010-2011 school year upon the successful
763 completion of the two instructional modules.

764 [(i) The Department of Education, in consultation with EASTCONN,
765 shall create a data system for local and regional school districts to
766 access the resources and record-keeping tools to manage the teacher
767 education and mentoring program at the local level. Such data system
768 shall include (1) templates for (A) writing and updating each district's
769 plan, (B) recording each teacher's completion of each of the five
770 instructional modules, and (C) teachers to record the completion of
771 instructional module activities and submit written reflection papers or
772 projects, and (2) links to on-line programs or workshops that are part
773 of the five modules.]

774 [(j)] (i) Not later than July 1, 2010, the State Board of Education shall
775 adopt guidelines to provide for the implementation of the teacher
776 education and mentoring program in accordance with this section and
777 the Report of the Beginning Educator Support and Training Program
778 (BEST)/Mentor Assistance Program (MAP) Task Force dated
779 December 29, 2008.

<p>This act shall take effect as follows and shall amend the following sections:</p>
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Section 1	<i>July 1, 2018</i>	10-264l(d)(1)
Sec. 2	<i>July 1, 2018</i>	10-264l(c)(10)
Sec. 3	<i>July 1, 2018</i>	10-264i(a)(4)
Sec. 4	<i>July 1, 2018</i>	10-236b
Sec. 5	<i>July 1, 2018</i>	10-145b(i)
Sec. 6	<i>July 1, 2018</i>	10-145d(f)
Sec. 7	<i>July 1, 2018</i>	10-145f(c)
Sec. 8	<i>July 1, 2018</i>	10-145d(a)
Sec. 9	<i>July 1, 2018</i>	10-145o

Statement of Purpose:

To implement the recommendations of the Department of Education.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]