



General Assembly

**Substitute Bill No. 183**

February Session, 2018



**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2 2018 supplement to the general statutes is repealed and the following  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29 2018 supplement to the general statutes is repealed and the following  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. Subsection (a) of section 10-264i of the 2018 supplement to the  
39 general statutes is repealed and the following is substituted in lieu  
40 thereof (*Effective July 1, 2018*):

41 (a) (1) (A) A local or regional board of education, (B) a regional  
42 educational service center, (C) the Board of Trustees of the  
43 Community-Technical Colleges on behalf of Quinebaug Valley  
44 Community College and Three Rivers Community College, (D) a  
45 cooperative arrangement pursuant to section 10-158a, or (E) to assist  
46 the state in meeting [the goals of the 2008 stipulation and order for  
47 Milo Sheff, et al. v. William A. O'Neill, et al., as extended, or the goals  
48 of the 2013 stipulation and order for Milo Sheff, et al. v. William A.  
49 O'Neill, et al., as extended] its obligations pursuant to the decision in  
50 Sheff v. O'Neill, 238 Conn. 1 (1996), or any related stipulation or order  
51 in effect, as determined by the Commissioner of Education, (i) the

52 Board of Trustees of the Community-Technical Colleges on behalf of a  
53 regional community-technical college, (ii) the Board of Trustees of the  
54 Connecticut State University System on behalf of a state university, (iii)  
55 the Board of Trustees for The University of Connecticut on behalf of  
56 the university, (iv) the board of governors for an independent  
57 institution of higher education, as defined in subsection (a) of section  
58 10a-173, or the equivalent of such a board, on behalf of the  
59 independent institution of higher education, and (v) any other third-  
60 party not-for-profit corporation approved by the commissioner which  
61 transports a child to an interdistrict magnet school program, as defined  
62 in section 10-264l, in a town other than the town in which the child  
63 resides shall be eligible pursuant to section 10-264e to receive a grant  
64 for the cost of transporting such child in accordance with this section.

65 (2) Except as provided in subdivisions (3) and (4) of this subsection,  
66 the amount of such grant shall not exceed an amount equal to the  
67 number of such children transported multiplied by one thousand three  
68 hundred dollars.

69 (3) For districts assisting the state in meeting [the goals of the 2008  
70 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al.,  
71 as extended, or the goals of the 2013 stipulation and order for Milo  
72 Sheff, et al. v. William A. O'Neill, et al., as extended] its obligations  
73 pursuant to the decision in Sheff v. O'Neill, 238 Conn. 1 (1996), or any  
74 related stipulation or order in effect, as determined by the  
75 commissioner, (A) for the fiscal year ending June 30, 2010, the amount  
76 of such grant shall not exceed an amount equal to the number of such  
77 children transported multiplied by one thousand four hundred dollars,  
78 and (B) for the fiscal years ending June 30, 2011, to June 30, [2017] 2019,  
79 inclusive, the amount of such grant shall not exceed an amount equal  
80 to the number of such children transported multiplied by two  
81 thousand dollars.

82 (4) In addition to the grants otherwise provided pursuant to this  
83 section, the Commissioner of Education may provide supplemental  
84 transportation grants to regional educational service centers for the

85 purposes of transportation to interdistrict magnet schools. Any such  
86 grant shall be provided within available appropriations and after the  
87 commissioner has reviewed and approved the total interdistrict  
88 magnet school transportation budget for a regional educational service  
89 center, including all revenue and expenditure estimates. For the fiscal  
90 years ending June 30, 2013, to June 30, [2017] 2018, inclusive, in  
91 addition to the grants otherwise provided pursuant to this section, the  
92 Commissioner of Education may provide supplemental transportation  
93 to interdistrict magnet schools that assist the state in meeting [the goals  
94 of the 2008 stipulation and order for Milo Sheff, et al. v. William A.  
95 O'Neill, et al., as extended, or the goals of the 2013 stipulation and  
96 order for Milo Sheff, et al. v. William A. O'Neill, et al., as extended, and  
97 for transportation provided by EASTCONN to interdistrict magnet  
98 schools] its obligations pursuant to the decision in Sheff v. O'Neill, 238  
99 Conn. 1 (1996), or any related stipulation or order in effect, as  
100 determined by the commissioner. Any such grant shall be provided  
101 within available appropriations and upon a comprehensive financial  
102 review, by an auditor selected by the Commissioner of Education, the  
103 costs of such review may be paid from funds that are part of the  
104 supplemental transportation grant. Any such grant shall be paid as  
105 follows: For the fiscal year ending June 30, 2013, up to fifty per cent of  
106 the grant on or before June 30, 2013, and the balance on or before  
107 September 1, 2013, upon completion of the comprehensive financial  
108 review; for the fiscal year ending June 30, 2014, up to fifty per cent of  
109 the grant on or before June 30, 2014, and the balance on or before  
110 September 1, 2014, upon completion of the comprehensive financial  
111 review; for the fiscal year ending June 30, 2015, up to fifty per cent of  
112 the grant on or before June 30, 2015, and the balance on or before  
113 September 1, 2015, upon completion of the comprehensive financial  
114 review; [and] for the fiscal year ending June 30, 2016, up to fifty per  
115 cent of the grant on or before June 30, 2016, and the balance on or  
116 before September 1, 2016, upon completion of the comprehensive  
117 financial review; [and] for the fiscal year ending June 30, 2017, up to  
118 seventy per cent of the grant on or before June 30, 2017, and the  
119 balance on or before May 30, 2018, upon completion of the

120 comprehensive financial review; and for the fiscal year ending June 30,  
121 2018, up to seventy per cent of the grant on or before June 30, 2018, and  
122 the balance on or before May 30, 2019, upon completion of the  
123 comprehensive financial review.

124 (5) The Department of Education shall provide such grants within  
125 available appropriations. Nothing in this subsection shall be construed  
126 to prevent a local or regional board of education, regional educational  
127 service center or cooperative arrangement from receiving  
128 reimbursement under section 10-266m for reasonable transportation  
129 expenses for which such board, service center or cooperative  
130 arrangement is not reimbursed pursuant to this section.

131 Sec. 4. Section 10-236b of the 2018 supplement to the general statutes  
132 is repealed and the following is substituted in lieu thereof (*Effective July*  
133 *1, 2018*):

134 (a) For purposes of this section:

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

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

142 (3) "Physical restraint" means any mechanical or personal restriction  
143 that immobilizes or reduces the free movement of a person's arms, legs  
144 or head, including, but not limited to, carrying or forcibly moving a  
145 person from one location to another. The term does not include: (A)  
146 Briefly holding a person in order to calm or comfort the person; (B)  
147 restraint involving the minimum contact necessary to safely escort a  
148 person from one area to another; (C) medical devices, including, but  
149 not limited to, supports prescribed by a health care provider to achieve  
150 proper body position or balance; (D) helmets or other protective gear

151 used to protect a person from injuries due to a fall; [or] (E) helmets,  
152 mitts and similar devices used to prevent self-injury when the device is  
153 (i) part of a documented treatment plan or individualized education  
154 program pursuant to section 10-76d, or (ii) prescribed or  
155 recommended by a medical professional, as defined in section 38a-976,  
156 and is the least restrictive means available to prevent such self-injury;  
157 or (F) an exclusionary time out;

158 (4) "School employee" [shall have] has the same meaning as  
159 provided in subsection (b) of section 10-221o;

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

165 (6) "Student" means a child (A) enrolled in grades kindergarten to  
166 twelve, inclusive, in a public school under the jurisdiction of a local or  
167 regional board of education, (B) receiving special education and  
168 related services in an institution or facility operating under contract  
169 with a local or regional board of education pursuant to subsection (d)  
170 of section 10-76d, (C) enrolled in a program or school administered by  
171 a regional education service center established pursuant to section 10-  
172 66a, or (D) receiving special education and related services from an  
173 approved private special education program, but shall not include any  
174 child receiving educational services from (i) Unified School District #2,  
175 established pursuant to section 17a-37, or (ii) the Department of Mental  
176 Health and Addiction Services; and

177 (7) "Exclusionary time out" means a temporary, continuously  
178 monitored separation of a student from an ongoing activity in a non-  
179 locked setting, for the purpose of calming such student or deescalating  
180 such student's behavior.

181 (b) No school employee shall use a physical restraint on a student

182 except as an emergency intervention to prevent immediate or  
183 imminent injury to the student or to others, provided the restraint is  
184 not used for discipline or convenience and is not used as a substitute  
185 for a less restrictive alternative.

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

190 (d) (1) No school employee shall place a student in seclusion except  
191 as an emergency intervention to prevent immediate or imminent  
192 injury to the student or to others, provided the seclusion is not used for  
193 discipline or convenience and is not used as a substitute for a less  
194 restrictive alternative. (2) No student shall be placed in seclusion  
195 unless [(1)] (A) such student is monitored by a school employee during  
196 the period of such student's seclusion pursuant to subsection (m) of  
197 this section, and [(2)] (B) the area in which such student is secluded is  
198 equipped with a window or other fixture allowing such student a clear  
199 line of sight beyond the area of seclusion. (3) Seclusion shall not be  
200 utilized as a planned intervention in a student's treatment or  
201 educational plan.

202 (e) No school employee may use a psychopharmacologic agent on a  
203 student without that student's consent except (1) as an emergency  
204 intervention to prevent immediate or imminent injury to the student or  
205 to others, or (2) as an integral part of the student's established medical  
206 or behavioral support or educational plan, as developed consistent  
207 with section 17a-543 or, if no such plan has been developed, as part of  
208 a licensed practitioner's initial orders. The use of psychopharmacologic  
209 agents, alone or in combination, may be used only in doses that are  
210 therapeutically appropriate and not as a substitute for other  
211 appropriate treatment.

212 (f) If any instance of physical restraint or seclusion of a student  
213 otherwise permissible under subsection (b) or (d) of this section

214 exceeds fifteen minutes, (1) an administrator, as defined in section 10-  
215 144e, or such administrator's designee, (2) a school health or mental  
216 health personnel, as defined in subsection (a) of section 10-212b, or (3)  
217 a board certified behavioral analyst, who has received training in the  
218 use of physical restraint and seclusion pursuant to subsection (o) of  
219 this section, shall determine whether continued physical restraint or  
220 seclusion is necessary to prevent immediate or imminent injury to the  
221 student or to others. Upon a determination that such continued  
222 physical restraint or seclusion is necessary, such individual shall make  
223 a new determination every thirty minutes thereafter regarding  
224 whether such physical restraint or seclusion is necessary to prevent  
225 immediate or imminent injury to the student or to others.

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

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

235 (2) If such student is a child requiring special education, as  
236 described in subparagraph (A) of subdivision (5) of section 10-76a, or a  
237 child being evaluated for eligibility for special education pursuant to  
238 section 10-76d and awaiting a determination, such student's planning  
239 and placement team shall convene for the purpose of (A) conducting  
240 or revising a behavioral assessment of the student, and (B) creating or  
241 revising any applicable behavioral intervention plan, including, but  
242 not limited to, such student's individualized education plan.

243 (h) Each local or regional board of education shall notify a parent or  
244 guardian of a student who is placed in physical restraint or seclusion  
245 not later than twenty-four hours after the student was placed in



246 physical restraint or seclusion and shall make a reasonable effort to  
247 provide such notification immediately after such physical restraint or  
248 seclusion is initiated.

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

253 (j) (1) On and after July 1, 2016, each local or regional board of  
254 education, and each institution or facility operating under contract  
255 with a local or regional board of education pursuant to subsection (d)  
256 of section 10-76d that provides special education for children,  
257 including any approved private special education program, shall (A)  
258 record each instance of the use of physical restraint or seclusion on a  
259 student, (B) specify whether the use of seclusion was in accordance  
260 with an individualized education program, (C) specify the nature of  
261 the emergency that necessitated the use of such physical restraint or  
262 seclusion, and (D) include such information in an annual compilation  
263 on its use of such restraint and seclusion on students. Each local or  
264 regional board of education and such institutions or facilities operating  
265 under contract with a local or regional board of education pursuant to  
266 subsection (d) of section 10-76d that provides special education for  
267 children, including any approved private special education program  
268 shall provide such annual compilation to the Department of Education  
269 for the purposes of the pilot program established pursuant to  
270 subdivision (2) of this subsection to examine incidents of physical  
271 restraint and seclusion in schools and to the State Board of Education  
272 for the purposes of subsection (k) of this section. Local or regional  
273 boards of education and such institutions and facilities that provide  
274 special education for children shall not be required to report instances  
275 of in-school suspensions, as defined in subsection (c) of section 10-  
276 233a.

277 (2) The Department of Education shall establish a pilot program for  
278 the school year commencing July 1, 2015. Such pilot program shall be

279 implemented in various districts, including, but not limited to, an  
280 alliance district, a regional school district and a regional education  
281 service center. Under the pilot program, the Department of Education  
282 shall examine incidents of physical restraint and seclusion in schools  
283 and shall compile and analyze data regarding such incidents to enable  
284 the department to better understand and respond to incidents of  
285 physical restraint and seclusion on students in the state.

286 (k) The State Board of Education shall review the annual  
287 compilation of each local or regional board of education, and each  
288 institution or facility operating under contract with a local or regional  
289 board of education pursuant to subsection (d) of section 10-76d that  
290 provides special education for children, including any approved  
291 private special education program, and shall produce an annual  
292 summary report specifying (1) the frequency of use of physical  
293 restraint or seclusion on students, (2) whether any student subjected to  
294 such restraint or seclusion was a special education student, and (3) if  
295 any such student was a special education student, whether the use of  
296 such seclusion was in accordance with an individualized education  
297 program or whether the use of such seclusion was an emergency  
298 intervention to prevent immediate or imminent injury to the student or  
299 to others. Such report shall be submitted not later than January 15,  
300 2017, and annually thereafter, to the joint standing committees of the  
301 General Assembly having cognizance of matters relating to children  
302 and education for inclusion in the annual report card prepared  
303 pursuant to section 2-53m.

304 (l) Any use of physical restraint or seclusion on a student shall be  
305 documented in the student's educational record. The documentation  
306 shall include (1) the nature of the emergency and what other steps,  
307 including attempts at verbal deescalation, were taken to prevent the  
308 emergency from arising if there were indications that such an  
309 emergency was likely to arise, and (2) a detailed description of the  
310 nature of the restraint or seclusion, the duration of such restraint or  
311 seclusion and the effect of such restraint or seclusion on the student's

312 established educational plan.

313 (m) Any student who is physically restrained shall be continually  
314 monitored by a school employee. Any student who is involuntarily  
315 placed in seclusion shall be frequently monitored by a school  
316 employee. Each student so restrained or in seclusion shall be regularly  
317 evaluated by a school employee for indications of physical distress.  
318 The school employee conducting the evaluation shall enter each  
319 evaluation in the student's educational record. For purposes of this  
320 subsection, "monitor" means (1) direct observation, or (2) observation  
321 by way of video monitoring within physical proximity sufficient to  
322 provide aid as may be needed.

323 (n) If the use of such restraint or seclusion results in physical injury  
324 to the student, the local or regional board of education, and each  
325 institution or facility operating under contract with a local or regional  
326 board of education pursuant to subsection (d) of section 10-76d that  
327 provides special education for children, including any approved  
328 private special education program, shall report the incident to the State  
329 Board of Education, which shall include such incident in the report  
330 required pursuant to subsection (k) of this section. The State Board of  
331 Education shall report any incidence of serious injury or death to the  
332 nonprofit entity designated by the Governor in accordance with  
333 section 46a-10b to serve as the Connecticut protection and advocacy  
334 system, as required by the Developmental Disabilities Assistance and  
335 Bill of Rights Act of 2000, 42 USC 15041, et seq., as amended from time  
336 to time, and any regulations promulgated thereunder, and as required  
337 by the Protection and Advocacy for Individuals with Mental Illness  
338 Act, 42 USC 10801 et seq., as amended from time to time, and any  
339 regulations promulgated thereunder, and, if appropriate, to the Child  
340 Advocate of the Office of the Child Advocate.

341 (o) (1) Each local or regional board of education shall provide  
342 training regarding the physical restraint and seclusion of students to  
343 the members of the crisis intervention team for each school in the  
344 district, identified pursuant to subdivision (2) of this subsection. A

345 local or regional board of education may provide such training to any  
346 teacher, as defined in section 10-144d, administrator, as defined in  
347 section 10-144e, school paraprofessional or other school employee, as  
348 defined in section 10-222d, designated by the school principal and who  
349 has direct contact with students. Such training shall be provided  
350 during the school year commencing July 1, 2017, and each school year  
351 thereafter, and shall include, but not be limited to:

352 (A) An overview of the relevant laws and regulations regarding the  
353 use of physical restraint and seclusion on students and the proper uses  
354 of physical restraint and seclusion. For the school year commencing  
355 July 1, 2017, and annually thereafter, such overview shall be provided  
356 by the Department of Education, in a manner and form as prescribed  
357 by the Commissioner of Education;

358 (B) The creation of a plan by which each local and regional board of  
359 education shall provide training regarding the prevention of incidents  
360 requiring physical restraint or seclusion of students. Such plan shall be  
361 implemented not later than July 1, 2018. The Department of Education  
362 may, within available appropriations, provide ongoing monitoring  
363 and support to local or regional boards of education regarding the  
364 formulation and implementation of the plan; and

365 (C) The creation of a plan by which each local or regional board of  
366 education shall provide training regarding the proper means of  
367 physical restraint or seclusion of a student, including, but not limited  
368 to, (i) various types of physical restraint and seclusion; (ii) the  
369 differences between life-threatening physical restraint and other  
370 varying levels of physical restraint; (iii) the differences between  
371 permissible physical restraint and pain compliance techniques; and (iv)  
372 monitoring methods to prevent harm to a student who is physically  
373 restrained or in seclusion. Such plan shall be implemented not later  
374 than July 1, 2018;

375 (2) For the school year commencing July 1, 2017, and each school  
376 year thereafter, each local and regional board of education shall

377 require each school in the district to identify a crisis intervention team  
378 consisting of any teacher, as defined in section 10-144d, administrator,  
379 as defined in section 10-144e, school paraprofessional or other school  
380 employee, as defined in section 10-222d, designated by the school  
381 principal and who has direct contact with students. Such teams shall  
382 respond to any incident in which the use of physical restraint or  
383 seclusion may be necessary as an emergency intervention to prevent  
384 immediate or imminent injury to a student or to others. Each member  
385 of the crisis intervention team shall be recertified in the use of physical  
386 restraint and seclusion pursuant to subparagraph (C) of subdivision (1)  
387 of this subsection or chapter 814e on an annual basis. Each local and  
388 regional board of education shall maintain a list of the members of the  
389 crisis intervention team for each school.

390 (p) Each local or regional board of education shall develop policies  
391 and procedures that establish monitoring and internal reporting of the  
392 use of physical restraint and seclusion on students and shall make such  
393 policies and procedures available on such local or regional board of  
394 education's Internet web site and in such local or regional board of  
395 education's procedures manual.

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

399 (r) The State Board of Education shall adopt or revise regulations, in  
400 accordance with the provisions of chapter 54, concerning the use of  
401 physical restraint and seclusion pursuant to this section. Not later than  
402 sixty days after the adoption or revision of such regulations, each local  
403 or regional board of education shall update any applicable policies and  
404 procedures regarding the physical restraint and seclusion of students  
405 and shall make such updated policies and procedures available in a  
406 manner consistent with the provisions of subsection (p) of this section.

407 (s) Not later than July 1, 2018, each local or regional board of  
408 education shall establish a policy regarding the use of an exclusionary

409 time out. Such policy shall include, but need not be limited to, a  
410 requirement that (1) exclusionary time outs are not to be used as a  
411 form of discipline, (2) at least one school employee remain with the  
412 student, or be immediately available to the student such that the  
413 student and school employee are able to communicate verbally,  
414 throughout the exclusionary time out, (3) the space used for an  
415 exclusionary time out is clean, safe, sanitary and appropriate for the  
416 purpose of calming such student or deescalating such student's  
417 behavior, (4) the exclusionary time out period terminate as soon as  
418 possible, and (5) if such student is a child requiring special education,  
419 as defined in section 10-76a, or a child being evaluated for special  
420 education, pursuant to section 10-76d, and awaiting a determination,  
421 and the interventions or strategies are unsuccessful in addressing such  
422 student's problematic behavior, such student's planning and  
423 placement team shall convene as soon as is practicable to determine  
424 alternative interventions or strategies.

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

428 (i) (1) The State Board of Education may take one or more of the  
429 following actions, in accordance with the provisions of subdivision (2)  
430 of this subsection, against a person holding a certificate, permit or  
431 authorization based on conduct that occurred prior or subsequent to  
432 the issuance of such certificate, permit or authorization: (A) Revoke the  
433 holder's certificate, permit or authorization; (B) suspend the holder's  
434 certificate, permit or authorization; or (C) place the holder's certificate  
435 on probation, subject to conditions determined by the Commissioner  
436 of Education.

437 [(i) (1)] (2) The State Board of Education may [revoke any] take any  
438 of the actions described in subparagraphs (A) to (C), inclusive, of  
439 subdivision (1) of this subsection with respect to a holder's certificate,  
440 permit or authorization [or permit] issued pursuant to sections 10-144o  
441 to 10-149, inclusive, for any of the following reasons: (A) The holder of

442 the certificate, permit or authorization [or permit] obtained such  
443 certificate, permit or authorization [or permit] through fraud or  
444 misrepresentation of a material fact; (B) the holder has persistently  
445 neglected to perform the duties for which the certificate, permit or  
446 authorization [or permit] was granted; (C) the holder is professionally  
447 unfit to perform the duties for which the certificate, permit or  
448 authorization [or permit] was granted; (D) the holder is convicted in a  
449 court of law of a crime involving moral turpitude or of any other crime  
450 of such nature that in the opinion of the board continued holding of a  
451 certificate, permit or authorization [or permit] by the person would  
452 impair the standing of certificates, permits or authorizations [or  
453 permits] issued by the board; or (E) other due and sufficient cause. The  
454 State Board of Education [shall] may revoke any certificate, permit or  
455 authorization [or permit] issued pursuant to said sections if the holder  
456 is found to have intentionally disclosed specific questions or answers  
457 to students or otherwise improperly breached the security of any  
458 administration of a mastery examination, pursuant to section 10-14n.  
459 In any revocation proceeding pursuant to this section, the State Board  
460 of Education shall have the burden of establishing the reason for such  
461 revocation by a preponderance of the evidence. Revocation shall be in  
462 accordance with procedures established by the State Board of  
463 Education pursuant to chapter 54.

464 [(2)] (3) When the Commissioner of Education is notified, pursuant  
465 to section 10-149a or 17a-101i, that a person holding a certificate,  
466 permit or authorization [or permit] issued by the State Board of  
467 Education under the provisions of sections 10-144o to 10-149, inclusive,  
468 has been convicted of (A) a capital felony, under the provisions of  
469 section 53a-54b in effect prior to April 25, 2012, (B) arson murder,  
470 pursuant to section 53a-54d, (C) a class A felony, (D) a class B felony,  
471 except a violation of section 53a-122, 53a-252 or 53a-291, (E) a crime  
472 involving an act of child abuse or neglect as described in section 46b-  
473 120, or (F) a violation of section 17a-101a, 53-21, 53-37a, 53a-60b, 53a-  
474 60c, 53a-71, 53a-72a, 53a-72b, 53a-73a, 53a-88, 53a-90a, 53a-99, 53a-103a,  
475 53a-181c, 53a-191, 53a-196, 53a-196c, 53a-216, 53a-217b or 21a-278 or

476 subsection (a) of section 21a-277, any certificate, permit or  
477 authorization issued by the State Board of Education and held by such  
478 person shall be deemed revoked and the commissioner shall notify  
479 such person of such revocation, provided such person may request  
480 reconsideration pursuant to regulations adopted by the State Board of  
481 Education, in accordance with the provisions of chapter 54. As part of  
482 such reconsideration process, the board shall make the initial  
483 determination as to whether to uphold or overturn the revocation. The  
484 commissioner shall make the final determination as to whether to  
485 uphold or overturn the revocation.

486 ~~[(3)]~~ (4) The State Board of Education may deny an application for  
487 the initial issuance or renewal of a certificate, permit or authorization  
488 [or permit] for any of the following reasons: (A) The applicant seeks to  
489 obtain a certificate, permit or authorization [or permit] through fraud  
490 or misrepresentation of a material fact; (B) the applicant has been  
491 convicted in a court of law of a crime involving moral turpitude or of  
492 any other crime of such nature that in the opinion of the board  
493 issuance of a certificate, permit or authorization [or permit] would  
494 impair the standing of certificates, permits or authorizations [or  
495 permits] issued by the board; or (C) other due and sufficient cause.  
496 Any applicant denied a certificate, permit or authorization [or permit]  
497 shall be notified in writing of the reasons for denial. Any applicant  
498 denied a certificate, permit or authorization [or permit] may request a  
499 review of such denial by the State Board of Education.

500 ~~[(4)]~~ (5) A person whose certificate, permit or authorization has been  
501 denied, revoked or suspended may not be employed in a public school  
502 during the period of denial, revocation or suspension. A person whose  
503 certificate, permit or authorization has been placed on probation may  
504 be employed in a public school during the period of probation in  
505 accordance with the terms of such probation.

506 (6) The State Board of Education may take any of the actions  
507 described in subparagraphs (A) to (C), inclusive, of subdivision (1) of  
508 this subsection, with respect to an applicant's or holder's certificate,



509 permit or authorization a result of the applicant or holder having been  
510 subject to disciplinary action for any of the reasons described in  
511 subdivision (2) of this subsection by a duly authorized professional  
512 disciplinary agency of any state, a federal governmental agency, the  
513 District of Columbia, a United States possession or territory or a  
514 foreign jurisdiction. The State Board of Education may rely upon the  
515 findings and conclusions made by a duly authorized professional  
516 disciplinary agency of any state, a federal governmental agency, the  
517 District of Columbia, a United States possession or territory or foreign  
518 jurisdiction in taking such action.

519       [(5)] (7) Any local or regional board of education or private special  
520 education facility approved by the commissioner shall report to the  
521 commissioner when an employee, who holds a certificate, permit or  
522 authorization, is dismissed pursuant to subdivision (3) of subsection  
523 (d) of section 10-151.

524       (8) The State Board of Education may, pursuant to chapter 54, adopt  
525 or revise regulations relating to the procedure by which the State  
526 Board of Education may take any of the actions described in  
527 subparagraphs (A) to (C), inclusive, of subdivision (1) of this  
528 subsection.

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

532       (f) An endorsement issued prior to July 1, [2013] 2018, to teach  
533 elementary education grades one to six, inclusive, shall be valid for  
534 grades kindergarten to six, inclusive, and for such an endorsement  
535 issued on or after July 1, [2013] 2018, the endorsement shall be valid for  
536 grades [one] kindergarten to six, inclusive. [, except such an  
537 endorsement issued between July 1, 2013, and July 1, 2017, to any  
538 student who was admitted to and successfully completes a teacher  
539 preparation program, as defined in section 10-10a, in the certification  
540 endorsement area of elementary education on or before June 30, 2017,

541 shall be valid for grades kindergarten to six, inclusive.] An  
542 endorsement to teach comprehensive special education grades one to  
543 twelve, inclusive, shall be valid for grades kindergarten to twelve,  
544 inclusive, provided, on and after September 1, 2013, any (1) certified  
545 employee applying for a comprehensive special education  
546 endorsement, or (2) applicant for an initial, provisional or professional  
547 educator certificate and a comprehensive special education  
548 endorsement shall achieve a satisfactory score on the reading  
549 instruction examination approved by the State Board of Education on  
550 April 1, 2009, or a comparable reading instruction examination with  
551 minimum standards that are equivalent to the examination approved  
552 by the State Board of Education on April 1, 2009.

553 Sec. 7. Section 10-148a of the 2018 supplement to the general statutes  
554 is repealed and the following is substituted in lieu thereof (*Effective July*  
555 *1, 2018*):

556 (a) For the school year commencing July 1, 2013, and each school  
557 year thereafter, each certified employee shall participate in a program  
558 of professional development. Each local and regional board of  
559 education shall make available, annually, at no cost to its certified  
560 employees, a program of professional development that is not fewer  
561 than eighteen hours in length, of which a preponderance is in a small  
562 group or individual instructional setting. Such program of professional  
563 development shall (1) be a comprehensive, sustained and intensive  
564 approach to improving teacher and administrator effectiveness in  
565 increasing student knowledge achievement, (2) focus on refining and  
566 improving various effective teaching methods that are shared between  
567 and among educators, (3) foster collective responsibility for improved  
568 student performance, and (4) be comprised of professional learning  
569 that (A) is aligned with rigorous state student academic achievement  
570 standards, (B) is conducted among educators at the school and  
571 facilitated by principals, coaches, mentors, distinguished educators, as  
572 described in section 10-145s, or other appropriate teachers, (C) occurs  
573 frequently on an individual basis or among groups of teachers in a job-

574 embedded process of continuous improvement, and (D) includes a  
575 repository of best practices for teaching methods developed by  
576 educators within each school that is continuously available to such  
577 educators for comment and updating. Each program of professional  
578 development shall include professional development activities in  
579 accordance with the provisions of subsection (b) of this section.

580 (b) Local and regional boards of education shall offer professional  
581 development activities to certified employees as part of the plan  
582 developed pursuant to subsection (b) of section 10-220a or for any  
583 individual certified employee. Such professional development  
584 activities may be made available by a board of education directly,  
585 through a regional educational service center or cooperative  
586 arrangement with another board of education or through  
587 arrangements with any professional development provider approved  
588 by the Commissioner of Education and shall be consistent with any  
589 goals identified by the certified employees and the local or regional  
590 board of education.

591 (c) On and after July 1, 2018, the professional development activities  
592 provided to any person who (1) holds an endorsement to teach  
593 elementary education grades one to six, inclusive, that is valid for  
594 grades kindergarten to six, inclusive, pursuant to subsection (f) of  
595 section 10-145d, as amended by this act, (2) has previously taught  
596 under such endorsement in grades one to six, inclusive, and (3) is in  
597 his or her first year of teaching kindergarten under such endorsement,  
598 shall focus on early childhood education instruction during such  
599 person's first year of teaching kindergarten.

600 Sec. 8. Subsection (c) of section 10-145f of the 2018 supplement to the  
601 general statutes is repealed and the following is substituted in lieu  
602 thereof (*Effective July 1, 2018*):

603 (c) Notwithstanding the provisions of this section and section 10-  
604 145b, as amended by this act, the following persons shall be eligible for  
605 a nonrenewable three-year temporary certificate: (1) A [person who

606 has resided in a state other than Connecticut during the year  
607 immediately preceding application for certification in Connecticut and  
608 meets the requirements for certification, excluding successful  
609 completion of the competency examination and subject matter  
610 assessment, if such person holds current teacher certification in a state  
611 other than Connecticut and has completed at least one year of  
612 successful teaching in another state in a public school or a nonpublic  
613 school approved by the appropriate state board of education, (2) a]  
614 person who (A) has graduated from a teacher preparation program, as  
615 defined in section 10-10a, at a regionally accredited college or  
616 university outside of the state, [and regionally accredited] or an  
617 alternate route to certification program approved by the State Board of  
618 Education, and (B) meets the requirements for certification, [excluding]  
619 except successful completion of the [competency examination and  
620 subject matter assessment, (3)] testing requirements of this section, (2)  
621 a person hired by a charter school after July first in any school year for  
622 a teaching position that school year, provided the person hired after  
623 said date could reasonably be expected to complete the requirements  
624 prescribed in subparagraphs (B) and (C) of subdivision (1) of  
625 subsection (c) of section 10-145b, and [(4)] (3) a person who (A) has  
626 successfully taught under an appropriate certificate issued by another  
627 state, territory or possession of the United States or the District of  
628 Columbia or the Commonwealth of Puerto Rico for two or more years  
629 during the ten years immediately preceding the date of application for  
630 the nonrenewable three-year temporary certificate, and (B) meets the  
631 requirements for certification, except successful completion of the  
632 testing requirements of this section. The nonrenewable three-year  
633 temporary certificate shall be valid for [one year] three years from the  
634 date it is issued. [, except the State Board of Education may extend a  
635 temporary certificate for an additional two years (A) in the certification  
636 endorsement area of bilingual education issued under this subsection  
637 to a person who is employed by a local or regional board of education  
638 and providing instruction as part of a program of bilingual instruction,  
639 as defined in section 10-17e, or (B) to a person described in subdivision  
640 (4) of this subsection.]

641 Sec. 9. Subsection (a) of section 10-145d of the 2018 supplement to  
642 the general statutes is repealed and the following is substituted in lieu  
643 thereof (*Effective July 1, 2018*):

644 (a) The State Board of Education shall, pursuant to chapter 54, adopt  
645 such regulations as may be necessary to carry out the provisions of  
646 sections 10-144o, 10-145a to 10-145d, inclusive, as amended by this act,  
647 10-145f, as amended by this act, and 10-146b. Such regulations shall  
648 provide for (1) the establishment of an appeal panel to review any  
649 decision to deny the issuance of a certificate authorized under section  
650 10-145b, as amended by this act; (2) the establishment of requirements  
651 for subject area endorsements; (3) the extension of the time to complete  
652 requirements for certificates under section 10-145b, as amended by this  
653 act; (4) the establishment of requirements for administrator and  
654 supervisor certificates; (5) the composition of, and the procedures to be  
655 utilized by, the assessment teams in implementing the beginning  
656 educator program; (6) procedures and criteria for issuing certificates to  
657 persons whose certificates have lapsed or persons with non-public-  
658 school or out-of-state teaching experience; (7) the criteria for defining a  
659 major course of study; (8) a requirement that on and after July 1, 1993,  
660 in order to be eligible to obtain an initial educator certificate with an  
661 elementary endorsement, each person be required to (A) complete a  
662 survey course in United States history comprised of not fewer than  
663 three semester hours, or its equivalent, or (B) achieve a satisfactory  
664 evaluation on the appropriate State Board of Education approved  
665 subject area assessment; and (9) a requirement that on and after July 1,  
666 2004, in order to be eligible to obtain an initial educator certificate with  
667 an early childhood nursery through grade three or an elementary  
668 endorsement, each person be required to complete a comprehensive  
669 reading instruction course comprised of not less than six semester  
670 hours, or its equivalent. Such regulations may provide for exceptions  
671 to accommodate specific certification endorsement areas.

This act shall take effect as follows and shall amend the following sections:		
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)
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>	10-148a
Sec. 8	<i>July 1, 2018</i>	10-145f(c)
Sec. 9	<i>July 1, 2018</i>	10-145d(a)

**Statement of Legislative Commissioners:**

In Section 3, the entire subsection was included for consistency of internal references, and in Section 4, Subsecs. (a)~~(7)~~, (d) and (s) were rewritten for clarity.

**ED**      *Joint Favorable Subst.*