



House of Representatives

File No. 993

General Assembly

January Session, 2019

(Reprint of File No. 576)

House Bill No. 7113
As Amended by House Amendment
Schedules "A" and "B"

Approved by the Legislative Commissioner
May 24, 2019

AN ACT CONCERNING EDUCATION ISSUES.

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

1 Section 1. Subsection (b) of section 10-91j of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2019*):

4 (b) On and after July 1, 2019, a local or regional board of education
5 shall not be eligible for reimbursement pursuant to subsection (b) of
6 section 10-76g for any costs of special education paid by such board of
7 education to a private provider of special education services unless
8 such board of education has entered into a written contract with such
9 private provider of special education services for the provision of such
10 special education services. The individualized education program of a
11 child shall not be considered a contract between a local or regional
12 board of education and a private provider of special education services
13 for purposes of this section. Nothing in this subsection shall be
14 construed to limit or interrupt the provision of special education and
15 related services to a child by a local or regional board of education or

16 private provider of special education services.

17 Sec. 2. Subdivision (6) of subsection (a) of section 10-151 of the
18 general statutes is repealed and the following is substituted in lieu
19 thereof (*Effective July 1, 2019*):

20 (6) "Tenure" means:

21 (A) The completion of forty school months of full-time continuous
22 employment for the same board of education, provided the
23 superintendent offers the teacher a contract to return for the following
24 school year on the basis of effective practice as informed by
25 performance evaluations conducted pursuant to section 10-151b. For
26 purposes of calculating continuous employment towards tenure, the
27 following shall apply: (i) For a teacher who has not attained tenure,
28 two school months of part-time continuous employment by such
29 teacher shall equal one school month of full-time continuous
30 employment except, for a teacher employed in a part-time position at a
31 salary rate of less than twenty-five per cent of the salary rate of a
32 teacher in such position, if such position were full-time, three school
33 months of part-time continuous employment shall equal one school
34 month of full-time continuous employment; (ii) a teacher who has not
35 attained tenure shall not count layoff time towards tenure, except that
36 if such teacher is reemployed by the same board of education within
37 five calendar years of the layoff, such teacher may count the previous
38 continuous employment immediately prior to the layoff towards
39 tenure; (iii) a teacher who has not attained tenure shall not count
40 authorized leave time towards tenure if such time exceeds ninety
41 student school days in any one school year, provided only the student
42 school days worked that year by such teacher shall count towards
43 tenure and shall be computed on the basis of eighteen student school
44 days or the greater fraction thereof equaling one school month; (iv) for
45 a teacher who has not attained tenure and who is employed by a local
46 or regional board of education that enters into a cooperative
47 arrangement pursuant to section 10-158a, such teacher may count the
48 previous continuous employment with such board immediately prior

49 to such cooperative arrangement towards tenure; and (v) for a teacher
50 who has not attained tenure and who is employed by a local board of
51 education or as part of a cooperative arrangement, pursuant to section
52 10-158a, and such board or cooperative arrangement joins a regional
53 school district, such teacher may count the previous continuous
54 employment with such local board or cooperative arrangement
55 immediately prior to employment by the regional board of education
56 towards tenure.

57 (B) For a teacher who has attained tenure prior to layoff, tenure shall
58 resume if such teacher is reemployed by the same board of education
59 within five calendar years of the layoff.

60 (C) Except as provided in subparagraphs (B) [,] and (D) [and (E)] of
61 this subdivision, any teacher who has attained tenure with any one
62 board of education and whose employment with such board ends for
63 any reason and who is reemployed by such board or is subsequently
64 employed by any other board, shall attain tenure after completion of
65 twenty school months of continuous employment, provided the
66 superintendent offers the teacher a contract to return for the following
67 school year on the basis of effective practice as informed by
68 performance evaluations conducted pursuant to section 10-151b. The
69 provisions of this subparagraph shall not apply if, (i) prior to
70 completion of the twentieth school month following commencement of
71 employment by such board such teacher has been notified in writing
72 that his or her contract will not be renewed for the following school
73 year, or (ii) for a period of five or more calendar years immediately
74 prior to such subsequent employment, such teacher has not been
75 employed by any board of education.

76 [(D) Any certified teacher or administrator employed by a local or
77 regional board of education for a school district identified as a priority
78 school district pursuant to section 10-266p may attain tenure after ten
79 months of employment in such priority school district, if such certified
80 teacher or administrator previously attained tenure with another local
81 or regional board of education in this state or another state.]

82 [(E)] (D) For a teacher who has attained tenure and is employed by a
83 local or regional board of education that enters into a cooperative
84 arrangement pursuant to section 10-158a, such teacher shall not
85 experience a break in continuous employment for purposes of tenure
86 as a result of such cooperative arrangement.

87 [(F)] (E) For a teacher who has attained tenure and is employed by a
88 local board of education or as part of a cooperative arrangement,
89 pursuant to section 10-158a, and such board or cooperative
90 arrangement joins a regional school district, such teacher shall not
91 experience a break in continuous employment for purposes of tenure
92 as a result of joining such regional school district.

93 Sec. 3. (*Effective from passage*) (a) There is established a working
94 group to study issues relating to the implementation of the pre-service
95 performance assessment, edTPA, as adopted by the State Board of
96 Education on December 7, 2016, as part of teacher preparation
97 programs, as defined in section 10-10a of the general statutes. The
98 working group shall examine how such assessment is being
99 implemented in teacher preparation programs in the state, the
100 financial costs associated with such assessment on institutions of
101 higher education and students enrolled in teacher preparation
102 programs, whether such assessment is evidence-based or a best
103 practice, whether other states are using such assessment as part of
104 teacher preparation programs or requiring completion of such
105 assessment for professional certification, and any effect on world
106 languages instruction.

107 (b) The working group shall consist of the following members:

108 (1) One appointed by the speaker of the House of Representatives,
109 who is a professor in a teacher preparation program in the state;

110 (2) One appointed by the president pro tempore of the Senate, who
111 is a dean of a teacher preparation program in the state;

112 (3) One appointed by the majority leader of the House of

113 Representatives, who has expertise in pre-service performance
114 assessments for teacher preparation programs;

115 (4) One appointed by the majority leader of the Senate, who is a
116 student who is currently enrolled in a teacher preparation program in
117 the state;

118 (5) One appointed by the minority leader of the House of
119 Representatives, who is a student currently enrolled in a teacher
120 preparation program in the state;

121 (6) One appointed by the minority leader of the Senate, who is a
122 recent graduate of a teacher preparation program in the state; and

123 (7) The Commissioner of Education, or the commissioner's designee.

124 (c) All appointments to the working group shall be made not later
125 than thirty days after the effective date of this section. Any vacancy
126 shall be filled by the appointing authority.

127 (d) The Commissioner of Education, or the commissioner's
128 designee, shall schedule the first meeting of the working group, which
129 shall be held not later than sixty days after the effective date of this
130 section. The members of the working group shall elect the chairperson
131 of the working group from among the members of the working group
132 at the first meeting.

133 (e) The administrative staff of the joint standing committee of the
134 General Assembly having cognizance of matters relating to education
135 shall serve as administrative staff of the working group.

136 (f) Not later than January 1, 2020, the working group shall submit a
137 report on its findings and recommendations to the joint standing
138 committee of the General Assembly having cognizance of matters
139 relating to education, in accordance with the provisions of section 11-
140 4a of the general statutes. The working group shall terminate on the
141 date that it submits such report or January 1, 2020, whichever is later.

142 Sec. 4. Section 10-264q of the general statutes is repealed and the
143 following is substituted in lieu thereof (*Effective July 1, 2019*):

144 Notwithstanding subdivision (3) of subsection (b) of section 10-264l,
145 an interdistrict magnet school program that (1) does not assist the state
146 in meeting the goals of the 2008 stipulation and order for Milo Sheff, et
147 al. v. William A. O'Neill, et al., as extended, or the goals of the 2013
148 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al.,
149 as extended, as determined by the Commissioner of Education, and (2)
150 is not in compliance with the enrollment requirements for students of
151 racial minorities, pursuant to section 10-264l, following the submission
152 of student information data of such interdistrict magnet school
153 program to the state-wide public school information system, pursuant
154 to section 10-10a, on or before October 1, [2015] 2019, shall remain
155 eligible for an interdistrict magnet school operating grant pursuant to
156 section 10-264l for the fiscal years ending June 30, 2020, and June 30,
157 2021, if such interdistrict magnet school program submits a compliance
158 plan to the Commissioner of Education and the commissioner
159 approves such plan.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2019</i>	10-91j(b)
Sec. 2	<i>July 1, 2019</i>	10-151(a)(6)
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>July 1, 2019</i>	10-264q

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 20 \$	FY 21 \$
Education, Dept.	GF - Cost	See Below	See Below

Note: GF=General Fund

Municipal Impact:

Municipalities	Effect	FY 20 \$	FY 21 \$
Various Local and Regional School Districts	Revenue Gain	See Below	See Below

Explanation

The bill permits a non-Sheff magnet school that is not in compliance with the state's enrollment requirements for minority students to continue to be eligible for magnet school operating grants. Absent this provision, the State Department of Education (SDE) would not have been able to pay out the full amount of New Haven's magnet school payment, which is approximately \$32 million. The \$32 million is not a new cost to SDE and has been factored into current services; the provision allows New Haven to receive the payment, which results in significant revenue gain to the city.

The amendment makes other various procedural, technical and clarifying changes that do not result in a fiscal impact.

House "A" struck the underlying bill and its associated fiscal impact and replaced it with the fiscal impact identified above. In addition, House "A" included a state mandate and corresponding cost of up to \$5,000 for various local and regional school districts associated with adding climate change to public schools' required program of

instruction.

House "B" eliminated the section mandating climate change and the associated costs.

The Out Years

There is no fiscal impact in the out years as the provision to continue to pay non-Sheff magnet schools that are not compliance is only valid through FY 21.

OLR Bill Analysis**HB 7113 (as amended by House "A" and "B")******AN ACT CONCERNING EDUCATION ISSUES.*****SUMMARY**

This bill makes the following unrelated changes in the education statutes:

1. repeals an expedited teacher tenure provision for teachers or administrators who were previously tenured in one district and subsequently transfer into a priority school district (§ 2);
2. establishes a working group to study issues related to implementing the pre-service teacher performance assessment known as "edTPA," which was adopted by the State Board of Education (SBE) (§ 3); and
3. allows non-*Sheff* magnet schools that are not in compliance with the state's minority student enrollment requirements to continue to be eligible for magnet school operating grants for FYs 20 and 21 if the schools submit a compliance plan to the education commissioner and she approves it (§ 4).

The bill also makes technical and conforming changes.

*House Amendment "A" replaces the underlying bill, which required the State Department of Education (SDE) to study education issues in the state. The amendment (1) requires public schools to include climate change as part of their science program of instruction, (2) repeals an expedited tenure provision for teachers in priority school districts, (3) establishes a working group to study edTPA, (4) maintains grant eligibility for certain non-*Sheff* magnet schools that are not in

compliance with statutory minority enrollment requirements, and (5) makes technical and conforming changes.

*House Amendment "B" removes the requirement that public schools include climate change as part of their science program of instruction.

EFFECTIVE DATE: July 1, 2019, except the pre-service performance assessment working group provisions take effect upon passage.

§ 2 — TENURE FOR PRIORITY SCHOOL DISTRICT TEACHERS

The bill repeals a provision that allows a certified teacher or administrator who previously earned tenure in a Connecticut or out-of-state school district to be awarded tenure at a priority school district after teaching there for one school year. (By law, such a teacher moving from one district to another must otherwise teach for two years at the new district before being eligible for tenure.)

§ 3 — PRE-SERVICE TEACHER PERFORMANCE ASSESSMENT

The bill establishes a working group to study issues related to implementing the pre-service teacher performance assessment known as edTPA. (SBE adopted a resolution on December 7, 2016, requiring teacher preparation programs to use edTPA.) The working group must submit its findings and recommendations to the Education Committee no later than January 1, 2020.

The working group must examine how teacher preparation programs in the state are implementing the edTPA assessment and in particular:

1. the associated financial costs for colleges, universities, and enrolled students;
2. whether it is evidence-based or a best practice;
3. whether other states are using edTPA as part of teacher preparation programs or requiring it for professional

certification; and

4. any effect on world language instruction.

Working Group Members and Chairperson Selection

The group consists of seven members, listed in Table 1 with their qualifications and appointing authorities.

Table 1: Membership of the Pre-Service Teacher Performance Assessment Working Group

<i>Appointing Authority</i>	<i>Qualifications</i>
Education Commissioner, or her designee	N/A
House speaker	Connecticut teacher preparation program professor
Senate president pro tempore	Connecticut teacher preparation program dean
House majority leader	Person with expertise in teacher preparation pre-service performance assessments
Senate majority leader	Connecticut teacher preparation program student
House minority leader	Connecticut teacher preparation program student
Senate minority leader	Connecticut teacher preparation program recent graduate

Under the bill, appointments must be made within 30 days after the bill takes effect. Vacancies are filled by the appointing authority.

The education commissioner, or her designee, must schedule the first meeting, which must be held within 60 days after the bill takes effect. The working group members elect the chairperson from among the members at the first meeting. The Education Committee’s administrative staff must serve in that capacity for the working group.

The working group terminates on the date that it submits its report

or January 1, 2020, whichever is later.

§ 4 — MAGNET SCHOOL NON-COMPLIANCE PLAN

The bill permits a non-*Sheff* magnet school that is not in compliance with the state’s minority student enrollment requirements (i.e., integration requirements) to continue to be eligible for magnet school operating grants in FYs 20 and 21 if the school submits a compliance plan to the education commissioner and she approves it. The bill does not specify a deadline by which a school must submit its plan.

COMMITTEE ACTION

Education Committee

Joint Favorable

Yea 35 Nay 0 (03/25/2019)