



General Assembly

January Session, 2021

***Raised Bill No. 945***

LCO No. 3634



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 (9) of subsection (a) of section 10-76d of the  
2 general statutes is repealed and the following is substituted in lieu  
3 thereof (*Effective July 1, 2021*):

4 (9) The planning and placement team shall, in accordance with the  
5 provisions of the Individuals With Disabilities Education Act, 20 USC  
6 1400, et seq., as amended from time to time, develop and [update  
7 annually] include a statement of transition service needs in the  
8 individualized education program for each child requiring special  
9 education, [ Commencing not later than the date on which the first  
10 individual education program takes effect for a child who is at least  
11 fourteen years of age and diagnosed with autism spectrum disorder,  
12 such] beginning not later than the first individualized education  
13 program to be in effect when such child becomes fourteen years of age,  
14 or younger if the planning and placement team determines it is  
15 appropriate. Such individualized education program shall include (A)

16 appropriate measurable postsecondary goals based upon age-  
17 appropriate transition assessments related to training, education,  
18 employment and, where appropriate, independent living skills; and (B)  
19 the transition services, including courses of study, needed to assist [a]  
20 such child in reaching those goals. [The individual] Such individualized  
21 education program shall be updated annually thereafter in accordance  
22 with the provisions of this subdivision. Nothing in this subdivision shall  
23 be construed as requiring the Department of [Rehabilitation] Aging and  
24 Disability Services to lower the age of transitional services for a child  
25 with disabilities from sixteen to fourteen years of age.

26 Sec. 2. Section 10-145h of the general statutes is repealed and the  
27 following is substituted in lieu thereof (*Effective July 1, 2021*):

28 (a) On and after July 1, [2015] 2021, the State Board of Education shall  
29 require an applicant for certification as a bilingual education teacher to  
30 demonstrate written competency in English and written and oral  
31 competency in the other language of instruction as a condition of  
32 certification [.] as follows: (1) Written competency in English shall be  
33 demonstrated by (A) successful passage of the essential skills test  
34 approved by the State Board of Education, [Written] or (B) a bachelor's  
35 degree, or its equivalent, from a regionally accredited institution of  
36 higher education in which the language of instruction is English, and (2)  
37 written competency in the other language shall be demonstrated (A) on  
38 an examination, if available, of comparable difficulty as specified by the  
39 Department of Education, or (B) a bachelor's degree, or its equivalent,  
40 from a regionally accredited institution of higher education in which the  
41 language of instruction is in the other language. If such an examination  
42 is not available, competency shall be demonstrated by an appropriate  
43 alternative method as specified by the department. Oral competency in  
44 the other language shall be demonstrated by an appropriate method  
45 specified by the Department of Education.

46 (b) On and after July 1, 2015, the State Board of Education shall  
47 require persons seeking to become (1) elementary level bilingual  
48 education teachers to meet coursework requirements in elementary

49 education and bilingual education, and (2) secondary level bilingual  
50 education teachers to meet coursework requirements in both the subject  
51 area they will teach and in bilingual education. The State Board of  
52 Education may issue an endorsement in bilingual education to an  
53 applicant who has (A) completed coursework requirements in (i)  
54 elementary education and bilingual education, or (ii) the subject area  
55 they will teach and bilingual education, and (B) successful passage of  
56 examination requirements for bilingual education, as approved by the  
57 State Board of Education.

58 (c) On and after July 1, 2000, the State Board of Education shall  
59 require bilingual education teachers holding provisional educator  
60 certificates to meet the requirements of this subsection in order to  
61 qualify for a professional educator certificate to teach bilingual  
62 education. (1) Such bilingual education teachers who teach on the  
63 elementary level shall take fifteen credit hours in bilingual education  
64 and fifteen credit hours in language arts, reading and mathematics. (2)  
65 Such bilingual education teachers who teach on the middle or secondary  
66 level shall take fifteen credit hours in bilingual education and fifteen  
67 credit hours in the subject matter that they teach. Such professional  
68 educator certificate shall be valid for bilingual education and the grade  
69 level and content area of preparation.

70 (d) On and after July 1, 2021, certification in (1) elementary bilingual  
71 education shall be valid for grades kindergarten to nine, inclusive, and  
72 (2) middle grades bilingual education shall be valid for grades four to  
73 nine, inclusive.

74 (e) Not later than January 1, 2022, the Commissioner of Education  
75 shall approve guidelines for unique endorsements to authorize the  
76 teaching of secondary bilingual humanities and secondary bilingual  
77 science, technology, engineering and mathematics courses.

78 (f) (1) A certified bilingual education teacher who has completed at  
79 least fifteen semester hours of credit in combined content coursework in  
80 the humanities shall be eligible to teach secondary humanities courses

81 in a bilingual education program.

82 (2) A certified teacher who does not hold an endorsement in bilingual  
83 education shall be eligible to teach secondary humanities courses in a  
84 bilingual education program if such teacher completes (A) fifteen  
85 semester hours of credit in combined content coursework in the  
86 humanities, and (B) the required coursework and testing for a bilingual  
87 endorsement under this section.

88 (g) (1) A certified bilingual education teacher who has completed at  
89 least fifteen semester hours of credit in combined content coursework in  
90 the fields of science, technology, engineering or mathematics shall be  
91 eligible to teach secondary courses in such fields in a bilingual education  
92 program.

93 (2) A certified teacher who does not hold an endorsement in bilingual  
94 education shall be eligible to teach secondary science, technology,  
95 engineering or mathematics courses in a bilingual education program if  
96 such teacher completes (A) fifteen semester hours of credit in combined  
97 content coursework in the fields of science, technology, engineering or  
98 mathematics, and (B) the required coursework and testing for a  
99 bilingual endorsement under this section.

100 Sec. 3. Section 10-145m of the general statutes is repealed and the  
101 following is substituted in lieu thereof (*Effective July 1, 2021*):

102 (a) The State Board of Education, upon receipt of a proper  
103 application, shall issue a resident teacher certificate to any applicant in  
104 the certification endorsement areas of elementary education, middle  
105 grades education, secondary academic subjects, special subjects or  
106 fields, special education, early childhood education and administration  
107 and supervision, who (1) holds a bachelor's degree from an institution  
108 of higher education accredited by the Board of Regents for Higher  
109 Education or Office of Higher Education or regionally accredited, (2)  
110 [possesses a minimum undergraduate college cumulative grade point  
111 average of 3.00, (3)] has completed a major or thirty semester hours of  
112 content specific credit or achieved a qualifying score, as determined by

113 the State Board of Education, on the appropriate State Board of  
114 Education approved subject area assessment, and [(4)] (3) is enrolled in  
115 an alternate route to certification program or post-bachelor degree  
116 program leading to educator certification, approved by the State Board  
117 of Education, that meets the guidelines established by the [No Child Left  
118 Behind Act, P.L. 107-110] Every Student Succeeds Act, P.L. 114-95.

119 (b) Each such resident teacher certificate shall be valid for two years,  
120 and may be extended by the Commissioner of Education for an  
121 additional one year for good cause upon the request of the  
122 superintendent of schools for the school district employing such person.

123 (c) During the period of employment in a public school, a person  
124 holding a resident teacher certificate shall be the teacher of record and  
125 be under the supervision of the superintendent of schools or of a  
126 principal, administrator or supervisor designated by such  
127 superintendent who shall regularly observe, guide and evaluate the  
128 performance of assigned duties by such holder of a resident teacher  
129 certificate.

130 (d) Notwithstanding the provisions of subsection (a) of section 10-  
131 145b, on and after July 1, 2009, the State Board of Education, upon  
132 receipt of a proper application, shall issue an initial educator certificate,  
133 which shall be valid for three years, to any person who (1) successfully  
134 completed an alternate route to certification program, approved by the  
135 State Board of Education, that meets the guidelines established by the  
136 No Child Left Behind Act, P.L. 107-110, (2) taught successfully as the  
137 teacher of record while holding a resident teacher certificate, and (3)  
138 meets the requirements established in subsection (b) of section 10-145f.

139 Sec. 4. Subsection (a) of section 10-221d of the general statutes is  
140 repealed and the following is substituted in lieu thereof (*Effective from*  
141 *passage*):

142 (a) As used in this section and sections 10-232b and 10-232c, "eligible  
143 school operator" means a school or school district authorized to receive  
144 national criminal history record information from the Federal Bureau of

145 Investigation pursuant to P.L. 92-544, and shall include a local or  
146 regional board of education, the Technical Education and Career System  
147 [ the governing council of a state or local charter school, a cooperative  
148 arrangement pursuant to section 10-158a] and an interdistrict magnet  
149 school operator other than an operator who is a third-party not-for-  
150 profit corporation approved by the Commissioner of Education.

151 Sec. 5. Subsection (a) of section 10-232a of the general statutes is  
152 repealed and the following is substituted in lieu thereof (*Effective from*  
153 *passage*):

154 (a) As used in this section and sections 10-232b and 10-232c,  
155 "nongovernmental school operator" means an operator of an  
156 interdistrict magnet school that is a third-party not-for-profit  
157 corporation approved by the Commissioner of Education, the  
158 governing council of a state or local charter school, an endowed or  
159 incorporated academy approved by the State Board of Education  
160 pursuant to section 10-34, a special education facility approved by the  
161 State Board of Education pursuant to section 10-76d, as amended by this  
162 act, [or] the supervisory agent of a nonpublic school or a cooperative  
163 arrangement pursuant to section 10-158a.

164 Sec. 6. Section 10-66rr of the general statutes is repealed and the  
165 following is substituted in lieu thereof (*Effective from passage*):

166 On and after July 1, 2015, the State Board of Education shall require  
167 members of the governing council of a state or local charter school and  
168 members of a charter management organization to submit to a records  
169 check of the Department of Children and Families child abuse and  
170 neglect registry, established pursuant to section 17a-101k, and to state  
171 and national criminal history records checks before the state board  
172 grants initial certificates of approval for charters pursuant to section 10-  
173 66bb, or before such members may be hired by the governing council of  
174 a state or local charter school or charter management organization. The  
175 governing council of a state or local charter school shall require each  
176 contractor doing business with a state or local charter school, who

177 performs a service involving direct student contact, to submit to a  
178 records check of the Department of Children and Families child abuse  
179 and neglect registry, established pursuant to section 17a-101k, and to  
180 state and national criminal history records checks before such contractor  
181 begins to perform such service. [Any criminal history records checks  
182 required under this section shall be conducted in accordance with  
183 section 29-17a.]

184       Sec. 7. (NEW) (*Effective from passage*) (a) The Department of Education  
185 may institute a civil action in the Superior Court, or in the United States  
186 District Court, where applicable, against any person, firm, corporation,  
187 business or combination thereof, including a charter management  
188 organization, it believes, or has reason to believe, has misused state  
189 funds or has engaged in the misuse of state resources, to enjoin said  
190 parties from continuing such conduct within this state and to seek  
191 repayment of such funds, as well as damages, on behalf of the state. In  
192 such actions the department shall be represented by the Attorney  
193 General.

194       (b) Upon the institution of such civil action, the Attorney General  
195 shall have the right to take the deposition of any witness the Attorney  
196 General believes, or has reason to believe, has information relative to the  
197 prosecution of such action, upon application made to the Superior  
198 Court, notwithstanding the provisions of other statutes limiting  
199 depositions. The Attorney General shall also have the right to take such  
200 depositions in other states and to utilize the laws of such other states  
201 relative to the taking of depositions where allowed by the laws of such  
202 states.

203       (c) In any case where the misuse of state funds or resources or  
204 damages referred to in subsection (a) of this section shall be proven by  
205 a fair preponderance of the evidence, the court shall order repayment  
206 by any or all defendants of said damages through the Department of  
207 Education.

208       (d) The court shall also have the right, in its discretion, to assess treble

209 damages against said defendants.

210 Sec. 8. Subsection (c) of section 10-95 of the general statutes is  
211 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
212 *2021*):

213 (c) [The board and the Commissioner of Education shall jointly  
214 recommend a candidate for superintendent of the Technical Education  
215 and Career System who shall be appointed as superintendent by the  
216 State Board of Education.] The superintendent of the Technical  
217 Education and Career System shall be hired in accordance with the  
218 provisions of section 10-95q. Such superintendent shall be responsible  
219 for the operation and administration of the system. The board may enter  
220 into cooperative arrangements with local and regional boards of  
221 education, private occupational schools, institutions of higher  
222 education, job training agencies and employers in order to provide  
223 general education, vocational, technical, technological or postsecondary  
224 education or work experience. The superintendent, in conjunction with  
225 the commissioner, may arrange for training to be provided to the board  
226 at such times, and on such matters, as are deemed appropriate to assist  
227 the board in the conduct of its business.

228 Sec. 9. Section 10-76q of the general statutes is repealed and the  
229 following is substituted in lieu thereof (*Effective July 1, 2021*):

230 (a) The State Board of Education, in accordance with regulations  
231 adopted by said board, shall: (1) Provide the professional services  
232 necessary to identify, in accordance with section 10-76a, children  
233 requiring special education who are enrolled at a technical education  
234 and career school; (2) identify each such child; (3) determine the  
235 appropriateness of the technical education and career school for the  
236 educational needs of each such child; (4) provide an appropriate  
237 educational program for each such child; (5) maintain a record thereof;  
238 and (6) annually evaluate the progress and accomplishments of special  
239 education programs provided by the Technical Education and Career  
240 System.



241 (b) Where it is deemed appropriate that a child enrolled in a technical  
242 education and career school receive special education, the parents or  
243 guardian of such child shall have a right to the hearing and appeal  
244 process as provided for in section 10-76h.

245 (c) [If a planning and placement team determines that a student  
246 requires special education services which preclude such student's  
247 participation in the vocational education program offered by a technical  
248 education and career school, the student shall be referred to the board  
249 of education in the town in which the student resides for the  
250 development of an individualized educational program and such board  
251 of education shall be responsible for the implementation and financing  
252 of such program.] Prior to a student's enrollment in a technical  
253 education and career school, the local or regional board of education for  
254 the town in which such student resides shall convene a planning and  
255 placement team meeting. The purpose of such meeting shall be to  
256 address such student's transition to such technical education and career  
257 school and ensure that such student's individualized education  
258 program reflects the current supports and services that such student  
259 requires in order to access a free and appropriate public education in the  
260 least restrictive environment. A representative from such technical  
261 education and career school shall be invited to such meeting.

262 Sec. 10. Subsection (g) of section 10-221a of the general statutes is  
263 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
264 *2021*):

265 (g) Only courses taken in grades nine to twelve, inclusive, and that  
266 are in accordance with the state-wide subject matter content standards,  
267 adopted by the State Board of Education pursuant to section 10-4, shall  
268 satisfy the graduation requirements set forth in this section, except that  
269 a local or regional board of education may grant a student credit (1)  
270 toward meeting the high school graduation requirements upon the  
271 successful demonstration of mastery of the subject matter content  
272 described in this section achieved through educational experiences and  
273 opportunities that provide flexible and multiple pathways to learning,

274 including cross-curricular graduation requirements, career and  
275 technical education, virtual learning, work-based learning, service  
276 learning, dual enrollment and early college, courses taken in middle  
277 school, internships and student-designed independent studies,  
278 provided such demonstration of mastery is in accordance with such  
279 state-wide subject matter content standards; (2) toward meeting a  
280 specified course requirement upon the successful completion in grade  
281 seven or eight of any course, the primary focus of which corresponds  
282 directly to the subject matter of a specified course requirement in grades  
283 nine to twelve, inclusive; (3) toward meeting the high school graduation  
284 requirement upon the successful completion of a world language course  
285 (A) in grade six, seven or eight, (B) through on-line coursework, or (C)  
286 offered privately through a nonprofit provider, provided such student  
287 achieves a passing grade on an examination prescribed, within available  
288 appropriations, by the Commissioner of Education and such credits do  
289 not exceed four; (4) toward meeting the high school graduation  
290 requirement upon achievement of a passing grade on a subject area  
291 proficiency examination identified and approved, within available  
292 appropriations, by the Commissioner of Education, regardless of the  
293 number of hours the student spent in a public school classroom learning  
294 such subject matter; (5) toward meeting the high school graduation  
295 requirement upon the successful completion of coursework during the  
296 school year or summer months at an institution accredited by the Board  
297 of Regents for Higher Education or Office of Higher Education or  
298 regionally accredited. One three-credit semester course, or its  
299 equivalent, at such an institution shall equal one-half credit for purposes  
300 of this section; or (6) toward meeting the high school graduation  
301 requirement upon the successful completion of on-line coursework,  
302 provided the local or regional board of education has adopted a policy  
303 in accordance with this subdivision for the granting of credit for on-line  
304 coursework. Such a policy shall ensure, at a minimum, that (A) the  
305 workload required by the on-line course is equivalent to that of a similar  
306 course taught in a traditional classroom setting, (B) the content is  
307 rigorous and aligned with curriculum guidelines approved by the State  
308 Board of Education, where appropriate, (C) the course engages students

309 and has interactive components, which may include, but are not limited  
310 to, required interactions between students and their teachers,  
311 participation in on-line demonstrations, discussion boards or virtual  
312 labs, (D) the program of instruction for such on-line coursework is  
313 planned, ongoing and systematic, and (E) the courses are (i) taught by  
314 teachers who are certified in the state or another state and have received  
315 training on teaching in an on-line environment, or (ii) offered by  
316 institutions of higher education that are accredited by the Board of  
317 Regents for Higher Education or Office of Higher Education or  
318 regionally accredited. [; or (7) toward meeting the high school  
319 graduation requirement upon the successful completion of the academic  
320 advancement program, pursuant to section 10-5c.]

321       Sec. 11. Section 10-148b of the general statutes is repealed and the  
322 following is substituted in lieu thereof (*Effective July 1, 2021*):

323       [(a)] On or before July 1, 2013, the Commissioner of Education shall  
324 create a program of professional development for teachers, as defined  
325 in section 10-144d, and principals in scientifically-based reading  
326 research and instruction, as defined in section 10-14u. Such program of  
327 professional development shall (1) count towards the professional  
328 development requirements pursuant to section 10-148a, (2) be based on  
329 data collected from student reading assessments, (3) provide  
330 differentiated and intensified training in reading instruction for  
331 teachers, (4) outline how mentor teachers will train teachers in reading  
332 instruction, (5) outline how model classrooms will be established in  
333 schools for reading instruction, (6) inform principals on how to evaluate  
334 classrooms and teacher performance in scientifically-based reading  
335 research and instruction, and (7) be job-embedded and local whenever  
336 possible. In the case of any certified individual who is required to  
337 complete the reading instruction survey, pursuant to section 10-145r, the  
338 program of professional development for such individual shall be  
339 designed using the results of such survey, in accordance with said  
340 section 10-145r.

341       [(b)] The Commissioner of Education shall annually review the

342 professional development required under section 10-148a for certified  
 343 employees who hold a professional educator certificate with an early  
 344 childhood nursery through grade three or an elementary endorsement  
 345 and who hold a position requiring such an endorsement. The  
 346 commissioner shall assess whether such professional development  
 347 meets the state goals for student academic achievement through  
 348 implementation of the common core state standards adopted by the  
 349 State Board of Education, research-based interventions in reading and  
 350 the Individuals With Disabilities Education Act, 20 USC 1400 et seq., as  
 351 amended from time to time. The commissioner shall submit such review  
 352 to the joint standing committee of the General Assembly having  
 353 cognizance of matters relating to education, in accordance with the  
 354 provisions of section 11-4a.]

355       Sec. 12. Sections 10-3b, 10-5c and 10-10d of the general statutes are  
 356 repealed. (*Effective July 1, 2021*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2021</i>	10-76d(a)(9)
Sec. 2	<i>July 1, 2021</i>	10-145h
Sec. 3	<i>July 1, 2021</i>	10-145m
Sec. 4	<i>from passage</i>	10-221d(a)
Sec. 5	<i>from passage</i>	10-232a(a)
Sec. 6	<i>from passage</i>	10-66rr
Sec. 7	<i>from passage</i>	New section
Sec. 8	<i>July 1, 2021</i>	10-95(c)
Sec. 9	<i>July 1, 2021</i>	10-76q
Sec. 10	<i>July 1, 2021</i>	10-221a(g)
Sec. 11	<i>July 1, 2021</i>	10-148b
Sec. 12	<i>July 1, 2021</i>	Repealer section

**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.]*