



General Assembly

**Substitute Bill No. 5321**

February Session, 2022



**AN ACT IMPLEMENTING CERTAIN RECOMMENDATIONS OF THE  
SCHOOL PARAEDUCATOR ADVISORY COUNCIL.**

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

1 Section 1. (NEW) (*Effective July 1, 2022*) (a) For the school year  
2 commencing July 1, 2023, and each school year thereafter, each  
3 paraeducator employed by a local or regional board of education shall  
4 participate in a program of professional development. Each local and  
5 regional board of education shall make available, annually, at no cost to  
6 its paraeducators, a program of professional development that is not  
7 fewer than eighteen hours in length, of which a preponderance is in a  
8 small group or individual instructional setting. Such program of  
9 professional development shall (1) be a comprehensive, sustained and  
10 intensive approach to improving paraeducators effectiveness in  
11 increasing student knowledge achievement, (2) focus on refining and  
12 improving various effective instruction methods that are shared  
13 between and among paraeducators, (3) foster collective responsibility  
14 for improved student performance, (4) be comprised of professional  
15 learning that (A) is aligned with rigorous state student academic  
16 achievement standards, (B) is conducted among paraeducators at the  
17 school and facilitated by principals, coaches, mentors, distinguished  
18 educators, as described in section 10-145s of the general statutes, or  
19 other appropriate teachers, (C) occurs frequently on an individual basis

20 or among groups of paraeducators in a job-embedded process of  
21 continuous improvement, and (D) includes a repository of best practices  
22 for instruction methods developed by paraeducators within each school  
23 that is continuously available to such paraeducators for comment and  
24 updating, and (5) include training in culturally responsive pedagogy  
25 and practice. Each program of professional development shall include  
26 professional development activities in accordance with the provisions  
27 of subsection (b) of this section. The principles and practices of social-  
28 emotional learning and restorative practices shall be integrated  
29 throughout the components of such program of professional  
30 development described in subdivisions (1) to (5), inclusive, of this  
31 subsection.

32 (b) Local and regional boards of education shall offer professional  
33 development activities to paraeducators as part of the plan developed  
34 pursuant to subsection (b) of section 10-220a of the general statutes, as  
35 amended by this act, or for any individual paraeducator. Such  
36 professional development activities may be made available by a board  
37 of education directly, through a regional educational service center or  
38 cooperative arrangement with another board of education or through  
39 arrangements with any professional development provider approved  
40 by the Commissioner of Education and shall be consistent with any  
41 goals identified by the paraeducators and the local or regional board of  
42 education.

43 Sec. 2. Subsection (b) of section 10-220a of the 2022 supplement to the  
44 general statutes is repealed and the following is substituted in lieu  
45 thereof (*Effective July 1, 2022*):

46 (b) Not later than a date prescribed by the commissioner, each local  
47 and regional board of education shall establish a professional  
48 development and evaluation committee. Such professional  
49 development and evaluation committee shall consist of (1) at least one  
50 teacher, as defined in subsection (a) of section 10-144d, selected by the  
51 exclusive bargaining representative for certified employees chosen  
52 pursuant to section 10-153b, (2) at least one administrator, as defined in

53 subsection (a) of section 10-144e, selected by the exclusive bargaining  
54 representative for certified employees chosen pursuant to section 10-  
55 153b, and (3) such other school personnel as the board deems  
56 appropriate. The duties of such committees shall include, but not be  
57 limited to, participation in the development or adoption of a teacher  
58 evaluation and support program for the district, pursuant to section 10-  
59 151b, and the development, evaluation and annual updating of a  
60 comprehensive local professional development plan for certified  
61 employees of the district. Such plan shall: (A) Be directly related to the  
62 educational goals prepared by the local or regional board of education  
63 pursuant to subsection (b) of section 10-220, (B) on and after July 1, 2021,  
64 be developed with full consideration of the priorities and needs related  
65 to student social-emotional learning and restorative practices, in  
66 accordance with the provisions of section 10-148a, and student academic  
67 outcomes as determined by the State Board of Education, (C) provide  
68 for the ongoing and systematic assessment and improvement of both  
69 teacher evaluation and professional development of the professional  
70 staff members of each such board, including personnel management  
71 and evaluation training or experience for administrators, and (D) be  
72 related to regular and special student needs and may include provisions  
73 concerning career incentives and parent involvement. The State Board  
74 of Education shall develop guidelines to assist local and regional boards  
75 of education in determining the objectives of the plans and in  
76 coordinating staff development activities with student needs and school  
77 programs. For the school year commencing July 1, 2023, and each school  
78 year thereafter, such committees shall develop, evaluate and annually  
79 update a comprehensive local professional development plan for  
80 paraeducators of the district in accordance with the provisions of this  
81 subsection.

82 Sec. 3. Section 10-148b of the 2022 supplement to the general statutes  
83 is repealed and the following is substituted in lieu thereof (*Effective July*  
84 *1, 2022*):

85 On or before July 1, 2013, the Commissioner of Education shall create

86 a program of professional development for teachers, as defined in  
87 section 10-144d, paraeducators and principals in scientifically-based  
88 reading research and instruction, as defined in section 10-14u. Such  
89 program of professional development shall (1) count towards the  
90 professional development requirements pursuant to section 10-148a and  
91 section 1 of this act, (2) be based on data collected from student reading  
92 assessments, (3) provide differentiated and intensified training in  
93 reading instruction for teachers and paraeducators, (4) outline how  
94 mentor teachers will train teachers in reading instruction, (5) outline  
95 how model classrooms will be established in schools for reading  
96 instruction, (6) inform principals on how to evaluate classrooms and  
97 teacher and paraeducator performance in scientifically-based reading  
98 research and instruction, and (7) be job-embedded and local whenever  
99 possible. In the case of any certified individual or paraeducator who is  
100 required to complete the reading instruction survey, pursuant to section  
101 10-145r, the program of professional development for such individual  
102 or paraeducator shall be designed using the results of such survey, in  
103 accordance with said section 10-145r. Not later than July 1, 2023, the  
104 commissioner shall update such program of professional development  
105 to include paraeducators.

106       Sec. 4. (*Effective July 1, 2022*) The Commissioner of Education shall  
107 convene a working group to develop recommendations for the creation  
108 of a system of professional certification for paraeducators. Such working  
109 group shall include, but need not be limited to, the School Paraeducator  
110 Advisory Council, established pursuant to section 10-155k of the general  
111 statutes, representatives from each state-wide bargaining representative  
112 organization that represents school paraprofessionals with instructional  
113 responsibilities, and representatives designated by organizations or  
114 associations representing local and regional boards of education,  
115 regional educational service centers, superintendents and the interests  
116 of students and paraeducators in the provision of special education  
117 services. Not later than January 1, 2024, the commissioner shall submit  
118 a report of its recommendations to the joint standing committee of the  
119 General Assembly having cognizance of matters relating to education,

120 in accordance with the provisions of section 11-4a of the general statutes.

121 Sec. 5. Subdivision (10) of subsection (a) of section 10-76d of the 2022  
122 supplement to the general statutes is repealed and the following is  
123 substituted in lieu thereof (*Effective July 1, 2022*):

124 (10) (A) Each local and regional board of education responsible for  
125 providing special education and related services to a child or pupil shall  
126 notify the parent or guardian of a child who requires or who may  
127 require special education, a pupil if such pupil is an emancipated minor  
128 or eighteen years of age or older who requires or who may require  
129 special education or a surrogate parent appointed pursuant to section  
130 10-94g, in writing, at least five school days before such board proposes  
131 to, or refuses to, initiate or change the child's or pupil's identification,  
132 evaluation or educational placement or the provision of a free  
133 appropriate public education to the child or pupil.

134 (B) Upon request by a parent, guardian, pupil or surrogate parent,  
135 the responsible local or regional board of education shall provide such  
136 parent, guardian, pupil or surrogate parent an opportunity to meet with  
137 a member of the planning and placement team designated by such  
138 board prior to the referral planning and placement team meeting at  
139 which the assessments and evaluations of the child or pupil who  
140 requires or may require special education is presented to such parent,  
141 guardian, pupil or surrogate parent for the first time. Such meeting shall  
142 be for the sole purpose of discussing the planning and placement team  
143 process and any concerns such parent, guardian, pupil or surrogate  
144 parent has regarding the child or pupil who requires or may require  
145 special education.

146 (C) Such parent, guardian, pupil or surrogate parent shall (i) be given  
147 at least five school days' prior notice of any planning and placement  
148 team meeting conducted for such child or pupil, (ii) have the right to be  
149 present at and participate in all portions of such meeting at which an  
150 educational program for such child or pupil is developed, reviewed or  
151 revised, (iii) have the right to have (I) advisors of such person's own

152 choosing and at such person's own expense, (II) the school  
153 paraprofessional assigned to such child or pupil, if any, and (III) such  
154 child or pupil's birth-to-three service coordinator, if any, attend and  
155 participate in all portions of such meeting at which an educational  
156 program for such child or pupil is developed, reviewed or revised, and  
157 (iv) have the right to have each recommendation made in such child or  
158 pupil's birth-to-three individualized transition plan, as required by  
159 section 17a-248e, if any, addressed by the planning and placement team  
160 during such meeting at which an educational program for such child or  
161 pupil is developed.

162 (D) Immediately upon the formal identification of any child as a child  
163 requiring special education and at each planning and placement team  
164 meeting for such child, the responsible local or regional board of  
165 education shall inform the parent or guardian of such child or surrogate  
166 parent or, in the case of a pupil who is an emancipated minor or eighteen  
167 years of age or older, the pupil of (i) the laws relating to special  
168 education, (ii) the rights of such parent, guardian, surrogate parent or  
169 pupil under such laws and the regulations adopted by the State Board  
170 of Education relating to special education, including the right of a  
171 parent, guardian or surrogate parent to (I) withhold from enrolling such  
172 child in kindergarten, in accordance with the provisions of section 10-  
173 184, and (II) have advisors and the school paraprofessional assigned to  
174 such child or pupil attend and participate in all portions of such meeting  
175 at which an educational program for such child or pupil is developed,  
176 reviewed or revised, in accordance with the provisions of subparagraph  
177 (C) of this subdivision, and (iii) any relevant information and resources  
178 relating to individualized education programs created by the  
179 Department of Education, including, but not limited to, information  
180 relating to transition resources and services for high school students. If  
181 such parent, guardian, surrogate parent or pupil does not attend a  
182 planning and placement team meeting, the responsible local or regional  
183 board of education shall mail such information to such person.

184 (E) Each local and regional board of education shall have in effect at

185 the beginning of each school year an educational program for each child  
186 or pupil who has been identified as eligible for special education.

187 (F) At each initial planning and placement team meeting for a child  
188 or pupil, the responsible local or regional board of education shall  
189 inform the parent, guardian, surrogate parent or pupil of (i) the laws  
190 relating to physical restraint and seclusion pursuant to section 10-236b  
191 and the rights of such parent, guardian, surrogate parent or pupil under  
192 such laws and the regulations adopted by the State Board of Education  
193 relating to physical restraint and seclusion, and (ii) the right of such  
194 parent, guardian, surrogate parent or pupil, during such meeting at  
195 which an educational program for such child or pupil is developed, to  
196 have (I) such child or pupil's birth-to-three service coordinator attend  
197 and participate in all portions of such meeting, and (II) each  
198 recommendation made in the transition plan, as required by section 17a-  
199 248e, by such child or pupil's birth-to-three service coordinator  
200 addressed by the planning and placement team.

201 (G) Upon request by a parent, guardian, pupil or surrogate parent,  
202 the responsible local or regional board of education shall provide the  
203 results of the assessments and evaluations used in the determination of  
204 eligibility for special education for a child or pupil to such parent,  
205 guardian, surrogate parent or pupil at least three school days before the  
206 referral planning and placement team meeting at which such results of  
207 the assessments and evaluations will be discussed for the first time.

208 (H) Each local or regional board of education shall monitor the  
209 development of each child who, pursuant to subsection (a) of section  
210 17a-248e, has been (i) referred for a registration on a mobile application  
211 designated by the Commissioner of Early Childhood, in partnership  
212 with such child's parent, guardian or surrogate parent, or (ii) provided  
213 a form for such child's parent, guardian or surrogate parent to complete  
214 and submit to such local or regional board of education that screens for  
215 developmental and social-emotional delays using a validated screening  
216 tool, such as the Ages and Stages Questionnaire and the Ages and Stages  
217 Social-Emotional Questionnaire, or its equivalent. If such monitoring

218 results in suspecting a child of having a developmental delay, the board  
219 shall schedule a planning and placement team meeting with such child's  
220 parent, guardian or surrogate parent for the purposes of identifying  
221 services for which such child may be eligible, including, but not limited  
222 to, a preschool program under Part B of the Individuals with Disabilities  
223 Act, 20 USC 1471 et seq. If a parent, guardian or surrogate parent of any  
224 child referred for a registration on the mobile application or provided a  
225 form to complete and submit, pursuant to subsection (a) of section 17a-  
226 248e, fails to complete such registration or complete and submit such  
227 form after a period of six months from the date of such referral or  
228 provision of such form, the board shall send a reminder, in the form and  
229 manner determined by the board, to such parent, guardian or surrogate  
230 parent to complete such registration or complete and submit such form.  
231 The board shall send another reminder after a period of one year from  
232 such referral or provision of such form if such registration remains  
233 incomplete or such form is not submitted.

234 (I) Prior to any planning and placement team meeting for a child or  
235 pupil in which an educational program for such child or pupil is  
236 developed, reviewed or revised and the parent, guardian, pupil or  
237 surrogate parent has requested that the school paraprofessional  
238 assigned to such child or pupil attend such meeting, the responsible  
239 local or regional board of education shall provide (i) adequate notice of  
240 such meeting to such school paraprofessional so that such school  
241 paraprofessional may adequately prepare for such meeting, and (ii)  
242 training, upon request of such school paraprofessional, on the role of  
243 such school paraprofessional at such meeting. Following such meeting,  
244 such school paraprofessional shall be permitted to view such  
245 educational program in order to be able to provide special education or  
246 related services to such child or pupil in accordance with such  
247 educational program.

248 Sec. 6. (NEW) (Effective July 1, 2022) (a) The Department of Education  
249 shall conduct an annual review of the health care plan options offered  
250 by local and regional boards of education to paraeducators employed



251 by such boards. Such review shall examine the coverage levels,  
252 premiums and out-of-pocket expenses charged to paraeducators in each  
253 such health care plan, and (1) calculate whether the total cost of such  
254 premiums and out-of-pocket expenses are greater than five per cent of  
255 such paraeducator's annual salary, and (2) compare such coverage  
256 levels, premiums and out-of-pocket expenses to the partnership plan, as  
257 defined in section 3-123aaa of the general statutes.

258 (b) The department shall use the results of the review conducted  
259 pursuant to subsection (a) of this section to develop an annual report on  
260 paraeducator health care plans. Not later than January 1, 2023, and  
261 annually thereafter, the department shall submit such report to the joint  
262 standing committees of the General Assembly having cognizance of  
263 matters relating to appropriations, insurance and education, in  
264 accordance with the provisions of section 11-4a of the general statutes.

265 Sec. 7. Subsection (c) of section 10-220 of the 2022 supplement to the  
266 general statutes is repealed and the following is substituted in lieu  
267 thereof (*Effective July 1, 2022*):

268 (c) Annually, each local and regional board of education shall submit  
269 to the Commissioner of Education a strategic school profile report for  
270 each school and school or program of alternative education, as defined  
271 in section 10-74j, under its jurisdiction and for the school district as a  
272 whole. The superintendent of each local and regional school district  
273 shall present the profile report at the next regularly scheduled public  
274 meeting of the board of education after each November first. The profile  
275 report shall provide information on measures of (1) student needs, (2)  
276 school resources, including technological resources and utilization of  
277 such resources and infrastructure, (3) student and school performance,  
278 including in-school suspensions, out-of-school suspensions and  
279 expulsions, the number of truants, as defined in section 10-198a, and  
280 chronically absent children, as defined in section 10-198c, (4) the number  
281 of students enrolled in an adult high school credit diploma program,  
282 pursuant to section 10-69, operated by a local or regional board of  
283 education or a regional educational service center, (5) equitable

284 allocation of resources among its schools, (6) reduction of racial, ethnic  
285 and economic isolation, (7) special education, [and] (8) school-based  
286 arrests, as defined in section 10-233n, and (9) paraeducators, including  
287 the number of paraeducators employed within each school and for the  
288 school district as a whole, the job titles held by paraeducators, the hourly  
289 rate of pay for each paraeducator, the total number of hours and days  
290 worked for each paraeducator, the health care contributions as a  
291 percentage of salary for each paraeducator, and the annual salary for  
292 each paraeducator calculated by multiplying the number of hours  
293 worked by such paraeducator's hourly rate of pay. For purposes of this  
294 subsection, measures of special education include (A) special education  
295 identification rates by disability, (B) rates at which special education  
296 students are exempted from mastery testing pursuant to section 10-14q,  
297 (C) expenditures for special education, including such expenditures as  
298 a percentage of total expenditures, (D) achievement data for special  
299 education students, (E) rates at which students identified as requiring  
300 special education are no longer identified as requiring special education,  
301 (F) the availability of supplemental educational services for students  
302 lacking basic educational skills, (G) the amount of special education  
303 student instructional time with nondisabled peers, (H) the number of  
304 students placed out-of-district, and (I) the actions taken by the school  
305 district to improve special education programs, as indicated by analyses  
306 of the local data provided in subparagraphs (A) to (H), inclusive, of this  
307 subdivision. The superintendent shall include in the narrative portion  
308 of the report information about parental involvement and any measures  
309 the district has taken to improve parental involvement, including, but  
310 not limited to, employment of methods to engage parents in the  
311 planning and improvement of school programs and methods to increase  
312 support to parents working at home with their children on learning  
313 activities. For purposes of this subsection, measures of truancy include  
314 the type of data that is required to be collected by the Department of  
315 Education regarding attendance and unexcused absences in order for  
316 the department to comply with federal reporting requirements and the  
317 actions taken by the local or regional board of education to reduce  
318 truancy in the school district. Such truancy data shall be considered a

319 public record, as defined in section 1-200.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2022</i>	New section
Sec. 2	<i>July 1, 2022</i>	10-220a(b)
Sec. 3	<i>July 1, 2022</i>	10-148b
Sec. 4	<i>July 1, 2022</i>	New section
Sec. 5	<i>July 1, 2022</i>	10-76d(a)(10)
Sec. 6	<i>July 1, 2022</i>	New section
Sec. 7	<i>July 1, 2022</i>	10-220(c)

**ED**

*Joint Favorable Subst. C/R*

APP