
OLR Bill Analysis

sHB 6880 (as amended by House "A")*

AN ACT CONCERNING ASSORTED REVISIONS AND ADDITIONS TO THE EDUCATION STATUTES.

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Requires local and regional boards of education to adopt revised teacher evaluation programs and SBE to adopt revised program guidelines that use new (1) student indicators and assessment methods and (2) teacher feedback mechanisms; removes obsolete language

BACKGROUND

SUMMARY

This bill makes various changes to education laws, as described below.

*House Amendment "A" is a strike-all amendment that replaces the underlying bill, thereby removing provisions on boards of education (1) making curriculum materials available to parents and guardians; (2) posting notice of school meal compliance with federal nutrition requirements; (3) allowing teenage fathers to attend adult education; (4) making board meeting agendas and documents publicly available; (5) giving in-service training on seizures; and (6) supplying free menstrual products in restrooms. It also removes provisions on the State Department of Education (SDE) (1) making a plan for a statewide remote learning school, (2) appointing a parent advisory committee and a teacher advisory committee, and (3) supporting after school grant recipients.

EFFECTIVE DATE: Various; see below

§ 1 — LIMITATIONS ON USE OF EDTPA

Limits the use of the teacher preservice performance assessment, edTPA, to only as an accountability measure for teacher preparation programs, retroactive to July 1, 2022

Retroactive to July 1, 2022, the bill requires that the state's teacher preservice performance assessment, edTPA, can only be used as an accountability measure for teacher preparation programs and bars the State Board of Education (SBE) from using edTPA assessment results to deny an application for an initial educator certificate. In 2016, SBE approved a resolution that required all teacher preparation programs in

the state, whether at four-year institutions or alternate route to certification programs, to require satisfactory completion of edTPA by all teacher candidates in order to complete a teacher preparation program.

By law, unchanged by the bill, SBE must grant an initial educator certificate to any applicant who (1) holds a bachelor's degree or an advanced degree from an accredited institution of higher education; (2) has completed (a) a teacher preparation program approved by SBE or the appropriate governing body in another state or (b) an alternate route to certification program approved by SBE or the appropriate governing body in another state, and satisfies the requirements for either a temporary 90-day certificate or a resident teacher certificate, both of which are short-term certificates; and (3) satisfies the special education coursework requirement (CGS § 10-145b). These requirements do not consider the results of the edTPA assessment.

It is not clear under the bill whether the use of edTPA as an accountability measure would mean teacher preparation programs could continue to use it as a program requirement.

The Stanford Center for Assessment, Learning, and Equity created edTPA and Pearson Assessments, Inc., scores and administers it across the country. It generally costs applicants \$300.

EFFECTIVE DATE: Upon passage

§ 2 — CEASE-AND-DESIST ORDERS FOR PROHIBITED PRACTICES

Allows SBLR to issue a cease-and-desist order for certain violations of the teachers collective bargaining law

The bill allows the State Board of Labor Relations (SBLR) to issue a cease-and-desist order for certain violations of the teachers collective bargaining law (e.g., refusal to negotiate in good faith or retaliating against a complainant). Under the bill, when an alleged prohibited practice or breach of duty is ongoing, SBLR may order the party committing the act or practice to cease and desist from doing it until the board makes a determination on the matter.

Currently, SBLR may only issue a cease-and-desist order after holding a hearing on the complaint and making a determination.

By law, boards of education (i.e., “school board”) and an employees’ representative organization (i.e., “union”) can file complaints about prohibited practice violations with the SBLR. Certified teachers and other certified employees may also file complaints about a breach of the duty of fair representation.

Initially, an agent investigates the complaint and may or may not issue a report charging there has been a prohibited practice. And if it does, SBLR must hold a hearing on the matter. Even if the agent’s report recommends dismissing the complaint, or the agent does not make a report or issue a complaint, the SBLR can still choose to hold a hearing.

Under the bill, at this point in the process, the board can issue and cause to be served on the party committing the act or practice an order requiring the party to cease and desist from the act or practice until the board makes a determination. Current law authorizes SBLR to issue a cease-and-desist order only after holding a hearing on the complaint. The board can also take further action to ensure the prohibited practice or breach of duty is stopped and collective bargaining law is properly carried out.

EFFECTIVE DATE: July 1, 2023

§ 3 — RAISING THE KINDERGARTEN STARTING AGE

Raises the age children can start public school kindergarten from age five by January of the school year to age five by September of the school year

Current law requires children to be at least age five by January of the school year in order to enroll in public school kindergarten. The bill instead requires the child turn age five by September of the school year in order to enroll in kindergarten.

EFFECTIVE DATE: July 1, 2024

§§ 4 & 5 — PLAY-BASED LEARNING DURING PRESCHOOL, KINDERGARTEN, AND GRADES ONE TO FIVE

Requires schools to provide play-based learning during each regular school day for kindergarten and preschool students; requires school boards to permit a teacher to use play-based learning during the school day for grades one to five; adds play-based learning to educator professional development

The bill requires each school board to provide play-based learning during the instructional time of each regular school day for students in kindergarten and preschool. The play-based learning must (1) be incorporated and integrated into daily practice; (2) allow for the students' needs to be met through free play, guided play, and games; and (3) not involve, predominantly, using mobile electronic devices.

Additionally, it requires each school board to allow a teacher to use play-based learning during the instructional time of a regular school day for students in grades one to five, inclusive. The play-based learning may be incorporated and integrated into daily practice, and, as with kindergarten and preschool, must (1) allow for the students' needs to be met through free play, guided play, and games and (2) predominantly not involve using mobile electronic devices.

Under the bill "play-based learning" means a teaching approach that emphasizes play in promoting learning and includes developmentally appropriate strategies that can be integrated with existing learning standards. It does not mean time spent in recess or as part of a physical education course or instruction.

The bill requires that any play-based learning comply with a student's individualized education program under special education law or an accommodation plan under Section 504 of the federal Rehabilitation Act of 1973.

A school employee may only prevent or otherwise restrict a student's participation in play-based learning if it is in accord with the school board's policy addressing recess restrictions as a form of discipline.

Definitions

Under the bill:

1. "Free play" means unstructured, voluntary, child-initiated activities a child does for self-amusement and have behavioral,

social, and psychomotor rewards, except “free play” may be structured to promote activities that are child-directed, joyful, and spontaneous.

2. “Guided play” means learning experiences that combine the child-directed nature of free play with a focus on learning outcomes and adult guidance.
3. “Recess” means at least 20 minutes during the regular school day for each elementary school student devoted to physical exercise as required by law.
4. “Mobile electronic device” means any hand-held or other portable electronic equipment that provides data communication between two or more individuals, including a text messaging or paging device, a personal digital assistant, a laptop computer, equipment that can play a video game or a digital video disk, or equipment on which digital images are taken or transmitted.
5. “Instructional time” means the time of actual school work during a regular school day.

Play-Based Learning and Professional Development

Additionally, the bill adds play-based learning to educator professional development beginning July 1, 2024. Under current law, educator professional development must include a number of specific topics including refining and improving various effective teaching methods that are shared between and among educators. The bill adds that this must include play-based learning, as defined in the bill, for those teaching preschool or in grades kindergarten through five.

EFFECTIVE DATE: July 1, 2024, except the professional development provision is effective July 1, 2023.

§§ 6-7 — EXIT SURVEY FOR TEACHERS LEAVING THE PROFESSION AND TEACHER ATTRITION RATES

Requires school boards to (1) develop and conduct exit surveys of teachers voluntarily leaving employment with the board and (2) add teacher attrition rates to their strategic school profile report

The bill requires each school board, by January 1, 2024, to develop an exit survey to be completed by a teacher who is employed by the board and voluntarily ceases employment with that board. The survey must include questions addressing (1) why the teacher is ceasing employment, (2) whether the teacher is leaving the profession, (3) the teacher's demographics, and (4) the subject areas the teacher taught.

The bill also requires school boards to add teacher attrition rates and the exit survey results to the existing strategic school profile report that school districts submit to SDE each year. The profile already includes information such as student performance, student needs, school resources and resource usage, and student discipline. SDE publishes the reports on its website.

EFFECTIVE DATE: July 1, 2023

§ 8 — TEACHER PROFESSIONAL STANDARDS ADVISORY COUNCIL

Revises and expands the membership of the Teacher Professional Standards Advisory Council, including adding the Teacher of the Year and the previous year's Teacher of the Year

The bill revises and expands the membership of the Teacher Professional Standards Advisory Council. The 17-member council is expanded to 19 members by adding the Teacher of the Year and the previous year's Teacher of the Year and by adjusting the number of appointments for some of the appointing authorities. In addition, the bill changes the qualifiers for several members.

By law, the council advises SBE, the Education Committee, and the governor on teacher preparation, recruitment, retention, certification, professional development, and assessment and evaluation. It must report by January 15 each year to SBE, the Education Committee, and the governor on its activities and recommendations, if any, about the teaching profession.

The membership changes of appointed members are shown in the table below.

Table: Teacher Professional Standards Advisory Council Appointed Members

	<i>Current Law</i>	<i>Bill</i>
<i>Appointing Authority</i>	<i>Member Qualifier and Number of Appointments</i>	
Governor	Public member who represents business and industry	No change
State Board of Education	One faculty member or administrator of a state-approved teacher preparation program One public member who represents business and industry	Two who are either faculty members or administrators of a state-approved teacher preparation program
House speaker	One parent of a public school elementary or secondary school student	One parent or guardian of a public school elementary or secondary school student
Senate president pro tempore	One member who represents business and industry	One administrator of a local or regional school board of education
House majority leader	One school superintendent	No change
Senate majority leader	One member of a local or regional board of education	No change
House minority leader	One public member One public school administrator	One superintendent of a regional school district
Senate minority leader	One parent of a public school elementary or secondary school student One public member	One parent of a public school secondary school student
Connecticut Education Association	Four classroom teachers at the time of, and during, their appointment; two of whom are elementary school teachers	Four classroom teachers at the time of, and during, their appointment; two of whom are elementary school teachers, one is a secondary school teacher, and one is a special education teacher
American Federation of Teachers – Connecticut	Two classroom teachers at the time of, and during, their appointment; one of whom is an elementary school teacher	Four classroom teachers at the time of, and during, their appointment; one of whom is an elementary school teacher, two are secondary school teachers, and one is a special education teacher

The bill states that all appointments made after July 1, 2023, are for three-year terms. By law, terms are three years.

The bill also removes an obsolete provision.

EFFECTIVE DATE: July 1, 2023

§ 9 — TEACHERS' RETIREMENT SYSTEM TASK FORCE

Establishes a task force to analyze the per pupil equity of TRS funding; requires the task force to submit its recommendations to the Education and Appropriations committees by January 1, 2025

The bill establishes a 13-member task force to analyze the per-pupil equity of Teachers' Retirement System (TRS) funding. The task force must develop recommendations regarding:

1. the student equity implications of appropriating funds through the state TRS laws toward the pension normal cost and the unfunded liability amortization payments necessary to fully fund the TRS (unfunded liability payments are made due to underfunding in previous years);
2. whether and how much municipalities should contribute to the pension normal cost and the unfunded liability amortization payments in order to make the General Assembly's allocations more equitable on a per-pupil basis;
3. whether certain municipalities should be exempted from assuming a percentage of the municipal contributions identified above due to the following factors: (a) economic distress, (b) inability to pay, or (c) low academic performance; and
4. whether and how the resources generated through municipal contributions should be directed by the General Assembly toward (a) reducing educational inequities and (b) promoting the TRS sustainability.

Members

The task force includes the following members, by virtue of their positions, or their designees: governor; education commissioner; TRS

executive director; and the Commission on Women, Children, Seniors, Equity and Opportunity executive director. The appointed members are listed in the table below.

Table: Task Force to Study the Per-Pupil Equity of TRS Funding Appointees

<i>Appointing Authority (Number of Appointments)</i>	<i>Member Organization or Other Qualifier</i>
House speaker (one)	American Federation of Teachers-Connecticut representative
Senate president pro tempore (one)	Connecticut Education Association representative
House majority leader (one)	Representative of an advocacy organization focused on educational equity
Senate majority leader (one)	Representative of an organization with national expertise in both teacher pensions and school finance
House minority leader (two)	<ul style="list-style-type: none"> • Connecticut Association of School Business Officials representative • Connecticut Association of Public School Superintendents representative
Senate minority leader (two)	<ul style="list-style-type: none"> • Connecticut Conference of Municipalities representative • Connecticut Association of Boards of Education representative
Black and Puerto Rican Caucus chair (one)	(No specific organization or qualifier)

Any of the appointed members may be a member of the General Assembly. All initial appointments must be made no later than 30 days after the bill's passage. Any vacancy will be filled by the appointing authority.

The House speaker and the Senate president pro tempore select the chairpersons of the task force from among its members. The chairpersons must schedule the first meeting of the task force, which must be held no later than 60 days after the bill's passage.

The administrative staff of the Education Committee serves as task force administrative staff.

By January 1, 2025, the task force must submit a report on its findings

and recommendations to the Education and Appropriations committees and it terminates on the date the report is submitted or January 1, 2025, whichever is later.

EFFECTIVE DATE: Upon passage

§§ 10 & 11 — PARAEDUCATOR PROFESSIONAL DEVELOPMENT

Excludes certain mandated trainings from paraeducator professional development programs; requires annual updates to SDE's guidance and best practices for programs of professional development

By law, local and regional boards of education must make available an annual, free professional development program of at least 18 hours to any paraeducators they employ. Beginning in the 2023-24 school year, the bill prohibits trainings that are otherwise mandated (e.g., training on blood-borne pathogens, sexual harassment, or Department of Children and Families' policies and procedures) from being part of the 18 hours.

Additionally, the bill requires SDE to collaborate with the School Paraeducator Advisory Council to develop or update guidance and best practices for paraeducator professional development programs, which SDE must distribute to each board of education. By law, the School Paraeducator Advisory Council advises the education commissioner on professional development, staffing strategies, and other relevant issues relating to paraprofessionals (CGS § 10-155k).

EFFECTIVE DATE: July 1, 2023

§ 11 — PARAEDUCATOR PDEC MEMBERSHIP

Adds a paraeducator to each school district's professional development and evaluation committee (PDEC)

By law, each local and regional board of education must form a professional development and evaluation committee (PDEC) to (1) participate in developing or adopting the district's teacher evaluation and support program and (2) develop, evaluate, and annually update the district's comprehensive local professional development plan for certified employees.

Under current law, a PDEC's members must be teachers,

administrators, and other personnel the board finds appropriate. The bill adds at least one paraeducator, chosen by any exclusive bargaining representative for paraeducators, to the required PDEC membership.

EFFECTIVE DATE: July 1, 2023

§ 12 — IEP REVIEW BY PARAPROFESSIONALS

Requires paraeducators to review a student's IEP with a supervisor as needed

By law, school paraprofessionals, or any other paraprofessional providing special education or related services to a student, must be allowed to view a student's individualized education program (IEP). The bill adds the requirement that these paraprofessionals review the IEP with a supervisor, as needed.

EFFECTIVE DATE: July 1, 2023

§ 13 — CERTIFICATE ENDORSEMENTS FOR PRESCHOOL AND KINDERGARTEN TEACHING

Allows the education commissioner to allow a teacher with a (1) grade one through six endorsement to teach kindergarten for a second year without demonstrating enrollment in a kindergarten endorsement program or (2) grade one through 12 comprehensive special education endorsement to teach preschool in addition to kindergarten as current law allows

Elementary Endorsements

By law and unchanged by the bill, if a person holds an elementary education endorsement to teach grades one through six, and that endorsement was issued on or after July 1, 2017, then the education commissioner may allow that person to teach kindergarten for one school year. The superintendent for the employing school district must request this permission.

Current law prohibits the commissioner from granting the endorsement holder a second year to teach kindergarten unless the person demonstrates enrollment in a program to meet the requirements for the appropriate kindergarten endorsement. The bill allows the employing superintendent to request that the commissioner grant the endorsement holder a second year of kindergarten teaching and removes the requirement that the holder demonstrate kindergarten endorsement program enrollment.

Comprehensive Special Education Endorsements

Under current law, anyone who holds a teaching certificate with an endorsement to teach comprehensive special education in grades one through 12 may extend the endorsement to grades kindergarten through 12 if the applicant has earned a satisfactory score on either the SBE-approved reading instruction exam or a comparable reading instruction exam with minimum standards that are equivalent to the SBE-approved one.

Under the bill, anyone who holds this endorsement for grades one through 12 may extend it to grades prekindergarten through 12 if they meet the above reading instruction exam score requirements.

EFFECTIVE DATE: July 1, 2023

§ 14 — ARC PROGRAM EXPANSION

Requires OHE to expand its ARC program attended by minority teacher incentive program grant recipients and hire one full-time permanent employee to administer the expanded ARC program

The bill requires the Office of Higher Education (OHE), within available appropriations, to (1) expand its alternate route to certification (ARC) program that minority teacher incentive program grant recipients attend and (2) hire one full-time permanent employee to administer the expanded program. By law, OHE's minority teacher incentive program provides, within available appropriations, up to \$5,000 in annual grants for up to two years to enroll in the ARC program, among other things (CGS § 10a-168a).

EFFECTIVE DATE: Upon passage

§ 15 — ADJUNCT ARTS INSTRUCTOR PERMIT

Allows SBE to additionally issue adjunct instructor permits in the arts to applicants who hold a degree higher than a bachelor's and meet other requirements in existing law

By law, SBE may issue part-time adjunct instructor permits to applicants with specialized training, experience, or expertise in the arts if an employing board of education or regional educational service center requests it. The permit authorizes its holder to teach art, music, dance, theater, or any subject related to the holder's artistic specialty for

up to 15 hours per week in certain magnet schools.

Current law requires applicants for this permit to hold a bachelor's degree from an institution that is regionally accredited or accredited by OHE or the Board of Regents for Higher Education. The bill expands this educational requirement to allow applicants with an academic degree that is higher than a bachelor's to hold the permit. By law and unchanged by the bill, applicants must also meet certain work experience requirements.

EFFECTIVE DATE: July 1, 2023

§ 16 — STUDENT TEACHING EXPERIENCE BY DRG

Removes the requirement that teacher preparation program participants complete their clinical, field, or student teaching experience in two different types of school districts according to DRG categorization

By law, teacher preparation program participants must complete a clinical, field, or student teaching experience in a classroom during four semesters. The bill removes the requirement that this experience occur in two school districts from certain categories of district reference groups (DRGs).

SDE created DRGs to group districts with similar needs and socioeconomic characteristics, based on factors including family income, parental education and occupation, family structure, poverty, language spoken at home, and district enrollment. (According to the department, it no longer uses this classification system.) DRGs were labeled "A" through "I," with "A" being the most affluent districts and "I" being the least. The bill removes the requirement that program participants complete one student teaching experience in a school district from groups "A" through "E" and another in a district from groups "F" through "I."

The bill also removes the requirement that any cooperating teacher who is part of the student teaching experience must have earned a performance evaluation designation of "exemplary" or "proficient" in the prior school year to serve as a mentor to student teachers.

EFFECTIVE DATE: July 1, 2023

§ 17 — INTEGRATED AND CROSS ENDORSEMENTS

Allows SDE, in cooperation with OHE, to authorize three new endorsements affecting early childhood education, special education, and grades kindergarten through three teaching positions

SDE issues endorsements to teachers who hold initial, provisional, or professional level teacher certification. These endorsements are added to the certificate to signify expertise in a subject area. SDE refers to additional endorsements received in other subject areas as cross endorsements.

Beginning on July 1, 2023, the bill allows SDE, in cooperation with OHE, to authorize the following new endorsements: (1) Integrated Early Childhood/Special Education Birth-Kindergarten, (2) Integrated Early Childhood/Elementary Education N-3, and (3) Special Education N-K.

The bill specifies that the second and third endorsements listed above are to be added as a cross endorsement as a replacement for requiring full planned program and institutional recommendation.

EFFECTIVE DATE: July 1, 2023

§ 18 — SUBSTITUTE TEACHERS

Allows local or regional boards of education, under certain circumstances, to employ a substitute teacher for up to 60 days without obtaining an SDE-issued substitute authorization

The bill allows local or regional boards of education to employ a substitute teacher for up to 60 days without obtaining an SDE-issued substitute authorization, so long as the substitute teacher is in the same assignment for the entire period. By law and unchanged by the bill, anyone employed as a substitute teacher must hold a bachelor's degree (which the education commissioner may waive for good cause) and be on a list of substitute teachers maintained by the employing board.

EFFECTIVE DATE: July 1, 2023

§ 19 — PURCHASING TEACHER RETIREMENT CREDIT

Removes service at SERC from the 10-year aggregate limit on purchases of TRS retirement credit

The law allows TRS members to purchase retirement credit for certain service outside the system, such as public school teaching in another state or in a federal Defense Department school for military dependents. Such purchases allow the TRS members to build additional credit toward their retirement provided the service the purchase is based on is not used for a retirement benefit of another governmental pension system other than Social Security. TRS members are generally all certified public school teachers and administrators in the state with some additional groups added by statute.

Generally, these purchases are limited to a total of 10 years, but service as a public school teacher in another state is exempt from this limit. The law allows for the purchase of retirement credit for service at the State Education Resource Center (SERC) before July 1, 2007. The bill makes the SERC service and the out-of-state teaching service, combined, exempt from the 10 year limit. The credit must be paid for at the present value of the full actuarial cost. It also specifies the SERC service is deemed service in the public schools of Connecticut.

EFFECTIVE DATE: July 1, 2023

§§ 20 & 21 — ADDITIONS TO THE TEACHERS' RETIREMENT SYSTEM

Expands the TRS to cover teachers employed by an interdistrict magnet school operated by (1) a private higher education institution's board of governors; (2) an SDE-approved, third-party nonprofit corporation; or (3) Goodwin University Magnet Schools, Inc. and Goodwin University Educational Services, Inc., specifically

By law, teachers employed at a "public school," as defined in state law, may participate in the TRS. The bill adds to the definition of "public school" any interdistrict magnet school that is operated by (1) a private higher education institution's board of governors or (2) an SDE-approved, third-party nonprofit corporation, so long as the magnet school is classified as a public school by the Teachers' Retirement Board (TRB).

The bill also requires the TRB to (1) classify as public schools all schools operated by Goodwin University Magnet Schools, Inc. and Goodwin University Educational Services, Inc. and (2) admit each

teacher employed at them.

EFFECTIVE DATE: July 1, 2023

§ 22 — TENURE AND ACCUMULATED SICK LEAVE

Maintains a teacher's tenure and accumulated sick leave in the event a new regional school district is formed

State law maintains a teacher's tenure and accumulated sick leave in the event the school district the teacher works for joins a regional school district. The law requires that this change is not deemed an interruption of continuous employment, so tenure and accumulated sick leave is preserved.

The bill modifies this to include when a teacher with these accumulated rights who works for a school district or a regional school district begins working for a new regional school district. As with existing law, the teacher must work for a school district or regional school district during the school year immediately before, or within which, the new regional district is established and continues as an employee of the new regional district.

EFFECTIVE DATE: July 1, 2023

§§ 23-27 — TEACHER PERFORMANCE EVALUATIONS

Requires local and regional boards of education to adopt revised teacher evaluation programs and SBE to adopt revised program guidelines that use new (1) student indicators and assessment methods and (2) teacher feedback mechanisms; removes obsolete language

By law, each public school district's superintendent must annually evaluate each teacher or have each teacher be evaluated. This refers to each professional board of education employee, below the rank of superintendent, who holds an SBE-issued certificate or permit. The superintendent may conduct formative (i.e., continuous diagnostic) evaluations to be used to produce an annual summative (i.e., final) evaluation.

This bill makes various changes in the teacher evaluation laws, requiring local and regional boards of education to adopt revised teacher evaluation programs and SBE to adopt revised program

guidelines that use new (1) student indicators and assessment methods and (2) teacher feedback mechanisms. The bill maintains the option for boards of education to adopt SBE’s model teacher evaluation and support program, but it requires SBE to ensure that its model program aligns with these revised guidelines.

The bill also removes obsolete language, including references to a now obsolete teacher evaluation and support pilot program and a UConn study of the pilot program. It also makes technical and conforming changes.

EFFECTIVE DATE: July 1, 2023

Teacher Evaluation and Support Program

Under current law, the evaluation process must follow the teacher evaluation and support program adopted by the district’s board of education and be aligned with the State Board of Education’s (SBE) guidelines for a model teacher evaluation program. In developing a program for the district, the board of education must attempt to reach a mutual agreement with the district’s professional development and evaluation committee (PDEC).

SBE Program. By July 1, 2024, the bill requires SBE to adopt revised guidelines for a teacher evaluation and support program, in consultation with the Performance Evaluation Advisory Council (PEAC; see below). It also requires SBE to adopt a revised model teacher evaluation and support program that aligns with these guidelines. The bill makes the following changes to revise the guidelines that current law required SBE to adopt for its model program in 2012:

1. removes the requirement that the guidelines include (a) four performance evaluation designators for teachers (i.e., “exemplary,” “proficient,” “developing,” and “below standard”) and (b) references to teacher evaluation “scoring systems” to determine “ratings”;
2. requires the guidelines to use student learning, growth, and achievement, rather than student academic growth and

- development, as indicators in teacher evaluations;
3. requires the guidelines to include methods for assessing student learning, growth, and achievement rather than student academic growth and development;
 4. requires the guidelines to consider control factors tracked by the statewide public school information system that may influence teacher performance, including student characteristics, student attendance, and student mobility;
 5. requires the guidelines to use an evaluator-provided annual summary of teacher growth, rather than a scoring system with performance evaluation designators, for the minimum requirements for teacher evaluation instruments and procedures;
 6. requires the guidelines to address creating individual improvement and remediation plans for teachers who need additional support, rather than for teachers who have a rating of “developing” or “below standard”;
 7. removes the requirement that these individual improvement and remediation plans include a summative rating of proficient or better as success indicators at the plan’s conclusion; and
 8. requires the guidelines to include a validation procedure for the State Department of Education (SDE) or a third party to audit remediation plans, rather than audit evaluations with a rating of “exemplary” or “below standard” as current law requires.

District Program. The bill requires each local and regional board of education, beginning with the 2024-25 school year, to adopt and implement a revised teacher evaluation and support program that follows SBE’s revised guidelines.

As under current law, the bill requires that the program be developed through mutual agreement between the board of education and the school district’s PDEC. If a board is unable to reach a mutual agreement with the PDEC, then both parties must consider SBE’s model program

and may adopt that if they mutually agree. If both parties are still cannot reach an agreement, then the board must adopt and implement the program it has developed, so long as it is consistent with SBE guidelines.

The bill allows the education commissioner to waive the requirement that a board adopt a program consistent with SBE's revised guidelines for any board that has expressed an intent by July 1, 2024, to adopt a program that requires a waiver from these requirements.

By law, each board of education must provide training and orientation programs for evaluators and teachers on the local evaluation and support program. The bill requires, beginning with the 2023-2024 school year, that the training programs and orientation be held at least annually, rather than biennially.

Other Evaluation Process Changes

The bill also makes the following changes to the state's teacher evaluation process:

1. requires teachers who do not receive a summative evaluation during the school year to be recorded as "not evaluated" rather than "not rated" as current law requires and
2. removes the requirement that superintendents report aggregate evaluation ratings to the education commissioner by September 15 each year.

PEAC

Under existing law, PEAC is a council within SDE, led by the education commissioner with members from various education interest groups. The bill maintains PEAC's responsibility under current law to (1) assist SBE with developing guidelines for a teacher evaluation and support program and developing a model program and (2) oversee the data collection and evaluation support system; however, it removes the requirement that PEAC assist SBE with developing a teacher evaluation and support program implementation plan.

BACKGROUND

Related Bills

sHB 6757 (File 585), favorably reported by the Education Committee, has substantially similar provisions that make changes in the statutes governing the teacher evaluation and support program.

sHB 6879 (File 589), favorably reported by the Education Committee, has substantially similar provisions that make changes in the statutes governing teacher certificate endorsements for preschool, kindergarten, and special education (§§ 1 & 6), the ARC program (§ 3), the adjunct instructor permit for the arts (§ 4), student teaching (§ 5), integrated and cross-endorsements (§ 8), and substitute teachers (§ 9).

SB 2, (File 77, as amended by Senate “A”) includes the same play-based learning provision.

COMMITTEE ACTION

Education Committee

Joint Favorable Substitute
Yea 44 Nay 0 (03/24/2023)

Appropriations Committee

Joint Favorable Substitute
Yea 53 Nay 0 (05/01/2023)