

Education Committee JOINT FAVORABLE REPORT

Bill No.: SB-381

AN ACT CONCERNING THE TEACHING PROFESSION AND REVISIONS TO

Title: THE MANDATED REPORTER REQUIREMENTS.

Vote Date: 3/20/2024

Vote Action: Joint Favorable Substitute Change of Reference to Appropriations

PH Date: 3/13/2024

File No.:

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SPONSORS OF BILL:

Education Committee

REASONS FOR BILL:

This bill was filed in response to concerns raised regarding teacher salaries as well as requirements for mandated reporters within schools. This bill includes many provisions, including but not limited to: establishing a minimum starting annual salary for teachers, providing a state subsidy to districts to cover the difference between previous salaries and the proposed salary floor, providing COVID-19 recognition payments to teachers who provided instruction during the pandemic, including a certified teacher on the Governor's Workforce Council, revising the process by which retired teachers are elected to the Teachers' Retirement Board, requiring a single arbitrator for arbitration hearing and providing teachers with some discretion in their responsibility as mandated reporters.

SUBSTITUTE LANGUAGE:

The substitute language of this bill strikes Sects. 6 from the bill, which related to the manner of electing retired teachers to the Teachers Retirement Board. Sect. 9 is also removed from the substitute language. Additionally, the substitute language restores part of the state education arbitration panel that consists of impartial arbitrators, including the provision that has the education commissioner select one arbitrator in situations where the two parties cannot come to agreement on one. Finally, the substitute language clarifies that a preliminary inquiry by a mandated reporter does not constitute a board investigation and adds the DCF training update.

RESPONSE FROM ADMINISTRATION/AGENCY:

CT Department of Children and Families, Commissioner-Designate, Jodi Hill-Lilly;

Expresses support for sections 10-19 of this bill and provides relevant comment. They state that this bill amends statutes related to a mandated reporter's failure to report suspected child abuse or neglect, consolidating those statutes regarding penalties for such action. They state that this bill also clarifies that mandated reporters are able to conduct a preliminary inquiry to determine if a report of suspected abuse or neglect is warranted. Finally, they suggest replacing the language in lines 979-983 with new language that will provide school employees with the flexibility to ask general questions before a report is made to the DCF careline without that questioning being misunderstood as an investigation that would not be permitted without DCF approval under the current language.

CT State Department of Education, Commissioner, Charlene Russell-Tucker;

provides comments on multiple sections of this bill. Regarding sections one and two, they state that mandating a salary floor for teachers will lead to challenges due to districts' varying abilities to pay. Additionally, they state that this provision could be in violation of the Contracts Clause of the US Constitution. Regarding section three, they state that the Department supports this section's intention, yet notes that this funding was not included in the Governor's midterm budget. In relation to section five, they suggest moving forward with the similar language outlined in HB 5436, as it better reflects a new focused charge of the Advisory Council and removes language pertaining to teacher preparation programs, and certification. Regarding section seven, they comment that updating the language regarding teacher termination from 'due and sufficient cause' to 'just cause' could unduly narrow the bases upon which a school board could terminate such teacher. In regard to section eight, they state that by removing the Department from the arbitration process, there is no mechanism by which to select arbitrators in lieu of the Department's involvement. Regarding sections 10 through 16, they state that these sections underscore the necessity of reporting within the statutory timeframes, thereby continuing the existing protections of students who are the suspected victims of abuse and neglect. In regard to section 17, they state that this provision could be highly problematic, as the Department themselves investigates such matters through their own Bureau of Investigations and Professional Practices. Finally, they express support of section 19.

CT Office of Workforce Strategy, Chief Workforce Officer, Kelli-Marie Vallieres;

expresses opposition to section four of this bill, which would add a teacher as a member to the Governor's Workforce Council. They state that this provision may conflict with the federal requirements of a state workforce board's composition as defined by the Workforce Opportunity and Innovation Act, which states that members of such board must be representatives of businesses in the state.

NATURE AND SOURCES OF SUPPORT:

CWCSEO, Children's Policy Analyst, TJ Nuccio; expresses general support for the teacher salary floor provision of this bill.

146 educators provided testimony in support of this bill.

They state that this bill takes important steps towards addressing the educator shortage in Connecticut. Additionally, they state that this bill will ensure that students receive the best possible education and that educators and the teaching profession are valued and respected.

Ferguson, Doyle & Chester, Principal Attorney, Eric Chester; expresses support for sections seven and eight of this bill. Regarding section seven, they state that this section will make the decision of a hearing officer binding in the case of a teacher termination hearing. They state that this provision will not allow Boards of Education to ignore the hearing officer's recommendation and take alternative action against as teacher. As for section eight, they state that this section makes practical sense, as the neutral arbitrator from the union and the district will then collectively select another neutral arbitrator to make the final decisions regarding collective bargaining.

CEA, Vice President, Joslyn DeLancey; expresses support for this bill. They state that CEA supports the proposal in section three to provide \$1,000 COVID service recognition payments to teachers who worked during the pandemic. They state that this provision recognizes the sacrifices made and risks taken on by teachers at the height of the pandemic. Regarding section six, they state that this section resolves issues from the previous session by aligning the elections of all active and retiree members to the standard July 1 date.

CEA, General Counsel, Adrienne Delucca; expresses support for section seven and sections 10-19 of this bill. Regarding section seven, they state that teachers in Connecticut are terminated pursuant to statute as opposed to a contractual agreement within their collective bargaining agreement. They state that this section will change vague and overbroad language in the termination statute and make this process as fair and neutral as possible for those tracers involved in it. Regarding sections 10-19, they suggest amending the language at lines 917, 922 and 929, to make mandated reporting practices aligned with similar reporting that the Department of Children and Families already carries out.

CEA, President, Kate Dias; expresses support for multiple sections of this bill. Regarding sections one and two, they state that Connecticut faces a teacher shortage crisis and setting a minimum salary for teachers not only recognizes the invaluable services teachers provide but is also a necessary step toward ensuring the sustainability and quality of education in the state. Regarding section three, they express strong support for the COVID service recognition payments, starting that public school teachers were among the first professionals to answer the call for essential workers. Finally, regarding section four, they express support for the inclusion of a teacher on the Governor's Workforce Council, stating that this measure makes sense and better ensures that there is a continuity of thought and approach between those who guide student learning in schools and those who help shape the future of work for students.

SEEK, President, John M. Flanders; expresses support for this bill. They express strong support for sections one and two, stating that setting and supporting a livable wage for teachers is the most important step the legislature can take to deal with the teacher shortage crisis. They also strongly support the mandated reporter provisions within sections 10-19. They state that they believe that educators who spend substantial parts of most days with students are in a good position to observe and identify issues that may result in harm to students.

School and State Finance Project, Executive Director, Lisa Hammersley; expresses support for this bill. Regarding section one, they state that creating a minimum salary is the first step to show teachers that the state respects their profession and understands how important it is. Regarding section two, they state that the state should prioritize equity in any new, increased support for K-12 education, and this funding should be prioritized for the neediest,

lowest-wealth communities where teachers are educating the most high-need students. Finally, they express strong support for sections four and five of this bill.

CEA, Uniserv Representative, Brett Pickerign; expresses support for this bill in general and provides comment regarding section seven. They suggest: negotiating parties should be able to select a single neutral arbitrator from the American Arbitration Association or American Dispute Resolution Center as the default process, eliminating the costly tripartite arbitration panel system, and establishing a rebuttable presumption in arbitration decisions that teachers will receive annual step movement on salary schedules and at least the same level of health insurance benefits in the expiring contract.

CAPSS, Executive Director, Fran Rabinowitz; expresses support for both the teacher salary floor as well as the COVID impact payments. However, they do express concern about sustaining the funding needed to pay for the increased wages caused by this new salary floor.

NATURE AND SOURCES OF OPPOSITION:

122 retired teachers submitted testimony in opposition to Sect. 6 of this bill.

They express opposition to Sect. 6 of this bill stating it weakens the voting strength of retired teachers by letting all teachers vote for the allotted retired teacher representatives on the Teachers' Retirement Board (TRB) and should be revised to guarantee all future seats on the TRB have equal representation for active and retired teachers, and each seat be voted for on behalf of the group they represent.

COST, Executive Director, Betsy Gara; expresses opposition to this bill, highlighting the provisions that mandate a minimum salary for teachers, and state such provisions will impose significant costs on municipalities that are already struggling to fund the cost of education. Further, they express concern that these provisions will force steep increases in property taxes or deep cuts in other critical programs and services.

CT Assoc. Of Boards of Education (CABE), Executive Director, Patrice McCarthy; expresses opposition to this bill, stating particular concern with Sects. 7 and 8. Regarding Sect. 7, they state these provisions would deprive boards of education of longstanding and important decision-making authority as to who will be entrusted with teaching the children of CT. Further, they state the changes made in this section would not affect teacher recruitment or retention at all. Regarding Sect. 8, they state there is no evidence that the current tripartite structure of the arbitration panel has been a problem. Ultimately, they state these two sections would unnecessarily concentrate power in the hands of a single, unelected arbitrator, depriving boards of education of the ability to act in the public interest.

The CT Conference of Municipalities (CCM), Advocacy Manager, Lindsay Seti; expresses opposition to the provisions of this bill that establish a minimum annual salary for full-time teachers. They state that each local board of education should have the ability to implement a wage that fits the position in their particular district, while ensuring that the salary is within the fiscal constraints of such district. Moreover, they state the provisions that require OPM to create a teacher salary enhancement subsidy to local and regional boards of education will create a fiscal cliff in municipal budgets and will result in property tax increases or a reduction in municipal services once OPM's subsidy expires.

NATURE AND SOURCES OF GENERAL COMMENT:

Hebron Public Schools, Superintendent, Thomas Baird: states Sect. 1, which sets a minimum salary for teachers, is inappropriate and infringes on collective bargaining. Although they share support for the goal of a \$60,000 minimum salary, they state this must be done in concert with other elements of the teacher contract, including insurance provisions.

Avon Public Schools, Superintendent, Bridget Carnemolla: states the provisions in this bill that concern changes to DCF mandated reporting requirements for school employees will alleviate the bombardment of reports to DCF, many of which are not actually categorized as abuse. Moreover, they state these provisions will allow DCF to focus their attention and respond to the many reports that do constitute abuse and demand investigation.

East Lyme Public Schools, Retired Teacher, David Casko: expresses concern with the current state of working and living conditions for public school educators, stating expectations from both administrators and parents, combined with low wages, makes the teaching profession a less than desirable career path for many people considering becoming teachers.

Region 13 Board of Education, Board Chair, Lindsay Dahlheimer: states Sect. 1 of this bill, which establishes a minimum salary for teachers, is inappropriate and infringes on collective bargaining. They state these provisions fail to take into account cost of living variation across the state and it would not be sustainable to rely on appropriations from the Office of Policy and Management to cover this cost. Additionally, they request for more information about the administrative process to distribute a COVID 19 recognition payment to certified teachers, stating this would be an incredible burden and substantial administrative costs at the local level.

Reported by: James Magson & Benjamin Lee

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